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Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba

Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba

Report of the Secretary-General**

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** The present report contains replies of Member States and United Nations organs. In spite of a clear deadline set in the note verbale for submission of contributions, the Americas and Europe Division, Department of Political Affairs, has no control over late submissions.

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I. Introduction

1. In its resolution 55/20 of 9 November 2000, entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba", the General Assembly requested the Secretary-General, in consultation with the appropriate organs and agencies of the United Nations system, to prepare a report on the implementation of the resolution in the light of the purposes and principles of the Charter of the United Nations and international law, and to submit it to the Assembly in its fifty-sixth session.

2. Pursuant to that request, by a note dated 6 April 2001, the Secretary-General invited Governments and organs and agencies of the United Nations system to provide him with any information they might wish to contribute to the preparation of his report.

3. The present report reproduces the replies from Governments and from organs and agencies of the United Nations that have been received as of 16 July 2001. Further replies will be reproduced as addenda to the present report.

II. Replies received from Governments

Algeria

[Original: French]
[29 June 2001]

1. Algeria fully supported resolution 55/20 on the necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba, adopted by the General Assembly on 9 November 2000. It voted in favour of the resolution.

2. Algeria fully endorses paragraphs 2 and 3 of the resolution.

3. Accordingly, the Algerian Government has neither promulgated nor applied any laws and/or regulations whose extraterritorial effects would undermine the sovereignty of other States.

Antigua and Barbuda

[Original: English]
[14 June 2001]

Antigua and Barbuda has never enacted any law enforcing an embargo on any State; and is in conformity with all the requirements of resolution 55/20.

Argentina

[Original: Spanish]
[11 May 2001]

1. On 5 September 1997, the Government of the Argentine Republic promulgated Act No. 24,871. Under this Act, foreign legislation which is aimed, directly or indirectly, at restricting or impeding the free flow of trade and the movement of capital, goods or persons to the detriment of a given country or group of countries shall neither be applicable nor have legal effects of any kind within the national territory.

2. Furthermore, in accordance with article 1 of the aforesaid Act, foreign legislation which seeks to have extraterritorial legal effects through the imposition of an economic embargo or limits on investment in a given country in order to elicit a change in the form of government of a country or affect its right to self-determination shall also be utterly inapplicable and devoid of legal effect.

3. In addition, it should be noted that, at the fifty-seventh session of the Commission on Human Rights in Geneva, in its explanation of vote in favour of the draft adopted as resolution 2001/16, the Argentine delegation said Argentina wished that the Commission had taken the opportunity to refer explicitly to the embargo and other unilateral economic measures which had been applied against Cuba for years and which had adverse effects on economic and social conditions in Cuba, thus punishing the Cuban people unjustly.

Barbados

[Original: English]
[30 May 2001]

1. Barbados has no laws which in any way restrict the freedom of trade and navigation in Cuba.

2. Barbados has consistently voted in favour of the resolution entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba", since the resolution was first introduced in the General Assembly during the forty-sixth session in 1991.

Belarus

[Original: English]
[10 May 2001]

1. In the course of the fifty-fifth session of the United Nations General Assembly, the Republic of Belarus, together with the overwhelming majority of other Member States, voted in favour of resolution 55/20, entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States against Cuba". The Republic of Belarus thereby reaffirmed its commitment to respect for fundamental principles of sovereign equality of States, non-interference in their internal affairs and freedom of international trade and navigation.

2. The Republic of Belarus has been consistently supporting the invalidation of laws and measures unilaterally promulgated and applied by Member States, the extraterritorial effects of which affect the sovereignty of other States, the legitimate interests of entities or persons under their jurisdiction and the freedom of trade and navigation.

3. Pursuant to the fundamental principles of international law, including the provisions of the Charter of the United Nations, the Republic of Belarus has never applied, does not apply and has no intention of ever applying, either of the laws or measures referred to above.

4. The Republic of Belarus believes that international disputes must only be resolved through negotiations on the basis of respect for the principles of equality and mutual benefit. The Republic of Belarus believes that substantial grounds have been laid down of late for a step-by-step settlement of the dispute between the United States of America and Cuba, and calls upon both parties to enhance their efforts in that direction.

Belize

[Original: English]
[29 June 2001]

1. The Permanent Mission of Belize is pleased to report that, in accordance with resolution 55/20, as well as all foregoing General Assembly resolutions on the embargo against Cuba, Belize has not promulgated nor applied any law, regulation or measure, the extraterritorial application of which would affect the sovereignty of other States, the legitimate interests of entities or persons under their jurisdiction and the freedom of trade and navigation.

2. Belize reaffirms its commitments to the purposes and principles enshrined in the Charter of the United Nations, particularly the sovereign equality of States, non-intervention and non-interference in their internal affairs and freedom of international trade and navigation, which also form fundamental principles of international law.

Bolivia

[Original: Spanish]
[23 May 2001]

The Government of the Republic of Bolivia has not adopted any laws or measures of the kind referred to in the resolution. Consequently, there are no provisions, measures or laws which the Government of Bolivia would have to repeal or invalidate in this regard.

Brazil

[Original: English]
[12 June 2001]

1. Brazil reiterates its position that discriminatory trade practices and extraterritorial application of domestic laws run counter to the need for promoting dialogue and ensuring the prevalence of the principles and purposes of the Charter of the United Nations.

2. In accordance with resolutions 47/19, 48/16, 49/9, 50/10, 51/17, 52/10, 53/4, 54/21 and 55/20, Brazil did not promulgate or apply any law, regulation or measure the extraterritorial effects of which could affect the sovereignty of other States and the legitimate

interests of entities or persons under their jurisdiction, as well as the freedom of trade and navigation.

3. Brazil's legal system does not recognize the validity of the application of measures with extraterritorial effects. Companies located in Brazil are subject exclusively to Brazilian legislation.

4. Measures by any country which violate the provisions of resolution 55/20, and which attempt to compel the citizens of a third country to obey foreign legislation, affect the interests of the international community as a whole and violate generally accepted principles of international law. They should be reviewed and changed, where appropriate, in order to bring them into conformity with international law.

5. Governments not complying with resolution 55/20 should urgently take further steps to eliminate discriminatory trade practices and bring to an end unilaterally declared economic, commercial and financial embargoes.

Burundi

[Original: French]
[12 July 2001]

1. The Government of Burundi is categorically opposed to the imposition of economic, commercial or financial embargoes or blockades against a State Member of the United Nations by another Member State or by a group of Member States.

2. Inasmuch as the Government and people of Burundi have themselves been the victims of an economic and political embargo unlawfully and unilaterally imposed by the region, we have suffered the bitter experience of the painful consequences of such sanctions against the population in general and vulnerable groups in particular. We vigorously denounce this kind of coercion.

Cambodia

[Original: English]
[31 May 2001]

1. The Royal Government of Cambodia, like many other United Nations members, very much regrets to note that the continuation of these sanctions does not serve the interest of the United Nations. It is, in fact, a violation of human rights, of the rights of the Cuban people to be an equal partner with the rest of the world.

2. In this new millennium, we strongly believe that these outdated sanctions should be unconditionally and immediately lifted and removed.

Cape Verde

[Original: English]
[13 July 2001]

The Government of Cape Verde has not taken any measure in violation of General Assembly resolution 55/20, entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba".

Chile

[Original: Spanish]
[24 May 2001]

1. The Government of Chile considers that the application by Member States of laws and regulations whose extraterritorial effects affect the sovereignty of other States, the legitimate interests of entities or persons under their jurisdiction and the freedom of trade and navigation undermine universally accepted principles of international law.

2. Actions which affect the legitimate economic and commercial interests of third countries disregard the basic rules governing free trade among sovereign nations. Chile opposes such actions in all their aspects.

3. Chile has therefore refrained from applying or encouraging the application of laws or administrative norms of the kind referred to in the preamble of General Assembly resolution 55/20.

China

[Original: English]
[28 June 2001]

1. Sovereign equality, non-interference in other countries' internal affairs and other relevant norms governing international relations should be duly respected. Every country has the right to choose, according to its national circumstances, its own social

system and mode of development, which brooks no interference by any other country.

2. The differences and problems that exist among countries should be resolved through peaceful dialogue and negotiation on the basis of equality and mutual respect for sovereignty. The economic, commercial and financial embargo imposed by the United States on Cuba, which has lasted for too long, serves no other purpose than to keep high tensions between two neighbouring countries and inflict tremendous hardship and suffering on the people of Cuba, especially women and children. The embargo, which remains unlifted, has seriously jeopardized the legitimate rights and interests of Cuba and other States, as well as the freedom of trade and navigation, and should, in accordance with the purposes and principles of the Charter of the United Nations and relevant resolutions of the United Nations, be put to an end.

Colombia

[Original: Spanish]
[13 July 2001]

1. The Government of Colombia, maintaining its traditional position of respect for the self-determination of peoples and non-interference in the internal affairs of any State, has neither promulgated nor applied unilaterally any laws or measures against Cuba or any other State which could affect the free development of that State's economy or trade. Those principles are embodied both in the Charter of the United Nations and in the charter of the Organization of American States. Colombia has played an active role in concerted international efforts to ensure respect for international law. For the past eight years, Colombia has been co-sponsoring the resolution submitted by Cuba, and it did so again in 2000 in connection with General Assembly resolution 55/20.

2. In the context of multilateral groups, Colombia has rejected the unilateral and extraterritorial application of national legislation as a violation of the juridical equality of States. Such measures affect international relations, trade, investment and cooperation. At its Thirteenth Interministerial Conference, held in Cartagena on 8 and 9 April 2000, the Movement of Non-Aligned Countries appealed for an end to the economic, financial and commercial embargo against Cuba.

3. Within the framework of other multilateral organizations, Colombia has taken the same position. During the thirty-first session of the General Assembly of OAS, member States, in resolution 1826 (XXXI-O/01) of 5 June 2001, entitled "Free trade and investment in the hemisphere", stated that they recognized the opinion of the Inter-American Juridical Committee (CJI/RES.II-14/96), which affirmed that "the bases and potential application of the legislation which is the subject of this opinion" (Helms-Burton) in the important areas previously described, "are not in conformity with international law".

4. Within other international forums, such as the Rio Group, the Ibero-American Summit, the Latin American Integration Association and the South-South Summit, countless appeals have been made for an end to that situation, as it represents a violation of the principles governing international coexistence, undermines multilateralism and is contrary to the spirit of cooperation and friendship among peoples.

Cuba

[Original: Spanish]
[29 June 2001]

1. Ever since the triumph of its revolution in 1959, Cuba has been the victim of one of the most inhuman State policies ever inflicted against a people and of a cruel and relentless economic war.

2. This war is being waged by the most powerful nation on earth, the United States of America, with the futile aim of reimposing its neocolonial domination over Cuba. In April 1960, in the face of the decision of the people and Government of Cuba to defend their right to pursue a liberating social revolution that put an end to several centuries of injustices and foreign domination, the Department of State proclaimed in an official document the necessity of imposing economic sanctions against Cuba aimed at causing hunger, desperation and the overthrow of the Government.

3. Since then and up to the present, none of the succeeding Administrations in office in the United States has wavered in the slightest from these objectives or spared any effort to accomplish them. On the contrary, these objectives have been further developed, refined and expanded. The United States pursues this policy through a complex web of laws; blatant pressures of all kinds on businesses and

Governments of third countries; obsessive interference in any economic or scientific activity undertaken by Cuba abroad to impede and prevent it; and a massive campaign of disinformation about Cuba designed to falsify the reality of Cuba and its people.

4. The aim therefore is to economically asphyxiate an entire nation and to deprive it of its basic means of survival so as to suppress its deep desire for independence. This policy has taken and continues to take a heavy toll on the material, psychological and spiritual well-being of the Cuban people, hinders their economic and social development and has forced successive generations of Cubans to live in a climate of permanent hostility and tension. Six out of every 10 Cubans were born and live under the conditions created by this policy.

5. The economic war being waged by the United States against Cuba also lacks any legal basis and, under the terms of article II (c) of the Geneva Convention on the Prevention and Punishment of the Crime of Genocide, of 9 December 1948, qualifies as an act of genocide and therefore a crime under international law.

6. As stated in the report which Cuba submitted last year in response to the request of the Secretary-General for information on the implementation of General Assembly resolution 54/21, the people of Cuba decided to file with the Cuban courts a claim for economic damage to Cuba caused by the embargo and the economic war which nine successive United States Administrations have waged against Cuba over the course of more than four decades. As a result of the lawsuit and following the appropriate legal proceedings, the Government of the United States was declared to have civil responsibility for its illicit acts against Cuba and sentenced to provide reparation and compensation to the Cuban people in the amount of $121 billion.

7. Since 24 November 1992, the date on which the United Nations General Assembly adopted resolution 47/19, in which for the first time it underscored the necessity of putting an end to the United States economic, commercial and financial embargo against Cuba, up to the present, the Governments of the United States have done nothing but flout the will of the international community and have even strengthened the instruments of their policy.

8. That year also saw the passage of the Torricelli Act, which strengthened the aspect of extraterritoriality throughout the web of laws and measures under which the embargo against Cuba has been maintained for more than four decades now. Four years later, in 1996, using the flimsiest of pretexts, the United States Government adopted the Helms-Burton Act, one of the pieces of legislation most offensive to the international community because of its interventionist and extraterritorial nature and its violation of the most elementary principles of international law.

9. It might be useful to place the two most recent pieces of legislation in their proper historical context. The first, the Torricelli Act, was passed by the Government of the United States at a time when Cuba was beginning to successfully redirect its foreign trade towards Western Europe, Canada, Latin America and the Caribbean and other countries following the collapse of the European socialist community and the Soviet Union, which had a severe impact on Cuba's international economic relations. In other words, the main objective of this Act was to prevent the recovery of the Cuban economy.

10. Subsequently, in 1996, as it became clear that Cuba's economy had weathered the severe shocks of the disappearance of its historical economic and trading partners and the tightening of the embargo, and as economic performance began to improve, the Government of the United States passed the Helms-Burton Act as the new pillar of its policy of aggression towards Cuba. Titles I and II of this legislation, which is interventionist by nature, purports to dictate what should be the political, economic and social order of a sovereign neighbouring State, Cuba, and promotes subversion as a means of achieving its objectives. In titles III and IV, it attempts to internationalize the embargo by imposing norms and rules on the international community on how to conduct economic relations with the nation of Cuba and by providing for sanctions against citizens of third countries who do business with Cuba.

11. The interventionist nature of this Act is the clearest refutation of those who seek to depict the blockade against Cuba as an "embargo" that concerns only the relations between two States. The Helms-Burton Act is also inherently extraterritorial in that it attempts to blatantly intervene in the affairs of a country outside the borders of the United States, in other words, a country that is not part of its territory

(titles I and II), while at the same time purporting to impose United States legislation on the other sovereign States of the international community as the norm to be universally observed (titles III and IV).

12. The Act also promotes the illegal and indiscriminate emigration of Cubans to the United States under the so-called "Cuban Adjustment Act", at the risk of their very lives and in contravention of the migration agreements signed between the two countries.

13. Since 1994 and with the declared objective of tightening still further the embargo against Cuba, thereby restricting the ability of the Cuban Government to obtain foreign exchange, as was clearly stated by the United States Department of State, the United States has prohibited the sending of remittances and packages of food and medicine to Cuba, as well as travel between the two countries for family reasons. As a result of this prohibition, Cuban emigrants in the United States are the only group on which severe restrictions have been placed on travel to their country of origin and on remitting economic assistance to family members in Cuba.

14. Moreover, section 211 of the Omnibus Appropriations Act for 1999 remains in force in open contravention of the United States own laws and commitments in the field of intellectual property rights, and in violation of at least three of the articles of the Agreement on Trade-Related Aspects of Intellectual Property Rights, insofar as it refers to the term "designated national" as a criterion for its application. The purpose of this section is to usurp the "Havana Club" label of Cuban rum from its legitimate owners on the basis of spurious claims made in the United States, thereby affecting the French company Pernod-Ricard and Cuba.

15. In the light of these circumstances, now that executive authority in the United States has passed to a new Administration, the international community should ask itself what has really changed in the United States policy of embargo against Cuba since the adoption of General Assembly resolution 55/20 by an absolute majority of 167 votes in favour.

16. In fact, the policy of aggression against our country has intensified since 20 January 2001, when power in the United States passed to a new Administration, which has made anti-Cuban rhetoric and the commitments given to the Miami-based annexationist mafia the main thrust of its actions against Cuba. The new Administration has publicly announced with the utmost cynicism that not only will it maintain its policy of embargo and try to isolate an independent and sovereign Cuba, but also that it will take all steps necessary to enhance the effectiveness and scope of its measures. It is against this backdrop that the United Nations General Assembly at its fifty-sixth session is to consider this item once again, more than nine years after it adopted the first resolution condemning the United States embargo against Cuba.

Easing versus tightening of the embargo

17. In order to counteract the efforts of an incipient movement of social forces within the United States that is opposed to the policy of embargo, the previous Administration of President William J. Clinton used all of its political influence and the mass media to promote the idea of a so-called "easing" of the embargo against Cuba. The Administration thus sought not only to pursue the above-mentioned objective at the domestic level, but also to neutralize the international community's growing opposition to the United States policy.

18. In fact, the charade of the so-called "easing" of the embargo was followed by the intensification of the economic war against Cuba and the extension of the practical measures and actions that are a consequence of the policy of embargo.

19. It should be pointed out in this regard that when a number of initiatives designed to permit the sale of medicines and food to Cuba began to emerge and to attract support in the Congress of the United States between 1999 and 2000 with the backing of various social, religious and business sectors, influential and very powerful groups of decision makers, including the Republican leadership and Cuban-American congressmen, managed not only to block approval of the measures, but also to attach in the legislature additional restrictions to the ones already in place, which as a practical matter resulted in a tightening of the embargo.

20. The new restrictions resulted in:

Maintenance of the complex and bureaucratic process for the granting of licences, which thus far has been an impediment to the sale of medicines and food to Cuba;

Prohibiting the President of the United States from authorizing any government assistance for the sale of medicines and food destined for Cuba, at a time when such restrictions were being lifted for other countries which until then had been prevented from importing medicines and food;

Prohibiting private financing from the United States for the sale of agricultural products to Cuba, as a result of which no person or entity in the United States may provide financing or credit for sales of agricultural products or equipment to the island;

Maintenance of the prohibition against importing products of Cuban origin located in or transported from or through Cuba;

Freezing of the limited categories which certain United States citizens had been able to use until then to travel to Cuba, subject to government approval;

Prohibiting by law United States citizens from visiting Cuba, which until then had been a prerogative of the executive branch.

21. On 28 October 2000, President Clinton signed the draft legislation containing these new restrictions, thereby making it the law of the United States of America.

22. The current Republican Administration of President George W. Bush has also propagated the falsehood that since 1992 the sale of food and medicines to Cuba has been authorized; that the regulations of the Department of Commerce were amended in 1998 to further facilitate the granting of licences for the sale of medical products; and that the United States Government had supported the holding of a trade fair for medical products in Havana in 2000, at which nearly all the products exhibited had been sold to Cuban medical institutions for over $1 million.

23. The exhibition of United States medical products held in Havana in 2000 was organized not with the support of the United States Government, but in spite of the obstacles and restrictions it imposed.

24. On that occasion, the Cuban enterprise EMIAT negotiated three contracts for the purchase of medical equipment from Chattanooga Group of Tennessee, Llanna Instrument of Rhode Island and Striker of Florida, all of which were eventually cancelled by the Cuban party because licences for the transactions were not granted. Thus, EMIAT was forced to seek providers in other countries.

25. With regard to this premeditated campaign of manipulation and disinformation, it must be recalled that one of the main objectives of the adoption, in 1992, of the notorious Torricelli Act was to ban trade between Cuba and subsidiaries of United States firms in third countries. Of the total volume of the trade which Cuba was then carrying on with subsidiaries of United States firms, over 90 per cent involved food and medicine, the total value of which amounted to more than $770 million. It is clear, then, that while the Act's adoption affected the national economy in many ways, it dealt a particularly severe blow to Cuba's imports of food and medicine through subsidiaries of United States firms. As a result, such imports collapsed.

26. The argument that changes in Treasury Department regulations have facilitated the licensing process for the sale of medicine is another cynical manipulation of the facts. First, not only has the process been made more cumbersome, but the scrutiny of applications for licences has become much more rigorous and selective; and second, the process has not facilitated the sale of medicine because, as indicated earlier, there are no economic and financial mechanisms in place between the United States and Cuba.

27. The amounts mentioned in connection with these licences represent only the cost of the products which they would involve if the sales were actually carried out; in no case do they represent completed transactions.

28. Another important element that cannot be overlooked if the matter is to be considered objectively is the fact that the very existence of a licensing procedure for the alleged purpose of permitting trade in medicine with Cuba is in itself dissuasive and intimidating for firms which might otherwise have been interested in such trade, insofar as it subjects them to procedures and controls which are not usual in normal commercial operations with any other country.

29. If the United States really had the political will to enable these commercial transactions to take place, it would have to lift restrictions on banking and credit operations, give ships and aircraft free access to ports and airports in both countries, eliminate travel restrictions in both directions so that businessmen and women could carry on their activities as usual and

allow Cuba to export goods and services to the United States to generate the income it needs to import goods and services from that country, among other measures.

30. Furthermore, the United States Government has repeatedly and fallaciously claimed that it authorizes the remittance to Cuba of hundreds of millions of dollars in donations every year. This information is utterly false, since, in reality, donations to Cuba from non-governmental and religious organizations in the United States have averaged just over $4 million a year. Moreover, these organizations have been harassed on many occasions, and the United States authorities have brutally exerted pressure to try to stop such donations.

31. In addition to the escalation brought about by the Torricelli and Helms-Burton Acts and the new measures adopted near the end of 2000 within the embargo policy against Cuba, the fact that executive power is now held by a new Administration with special ties to Cuban terrorist groups in Florida has only increased the danger that unilateral measures and the brutal war on the Cuban people will be intensified.

32. Apart from the evidence indicating that the current Administration of President Bush is determined to continue to strengthen future unilateral action in its foreign policy, which could be accentuated by the conservative environment of the new Administration, there is the unavoidable fact that the circumstances which led to the final outcome of the United States presidential elections in 2000, in which right-wing Cuban-American groups in Florida played a significant role, caused the new Government to take power with a strong political commitment to the extreme right, which has increasingly influenced the course of United States policy towards Cuba.

33. In this connection, President Bush has not only affected or promoted the appointment of citizens of Cuban origin linked to the Cuban American National Foundation (CANF), whose terrorist nature has been exposed and demonstrated, to key positions in his cabinet or in the State Department; he has also, in his own public acts and statements and through those of his spokespersons, taken a hard-line tone that unequivocally precludes the possibility that the present Government will favour any steps to change the current policy or to bring about détente, dialogue or a real easing of the embargo against Cuba.

34. At a White House reception to commemorate the date on which, in 1902, the United States imposed a Washington-controlled Government on Cuba after using military force to wrest from Cuba the independence it had won from Spain after three decades of heroic struggle, and to which those primarily responsible for the war on Cuba in the United States Congress were invited, as were the leaders of CANF, President Bush declared that "the sanctions [against Cuba] ... are not just a policy tool, but a moral statement" and that he would "oppose any attempt to weaken" them. He also expressed support for new congressional initiatives such as the draft "Cuban Solidarity Act" and "Internal Opposition Assistance Act".

35. This year, eight new anti-Cuba initiatives have been introduced in the United States Congress. If adopted, they will tighten still further the United States embargo against Cuba. One of the most blatant and outrageous of these initiatives is the so-called Cuban Solidarity Act, which, in open and unbridled interference in Cuba's internal affairs, proposes to authorize $100 million in United States assistance over a four-year period for the avowed purpose of encouraging and supporting internal subversion in the country.

Effects on food supply and health

36. As noted earlier, a priority objective of the United States' strategy in its Cuba policy has been to cause difficulties with the supply of food, medicine and other inputs for the health care system, so that shortages and deprivation will create a climate of instability and dissatisfaction among the population.

Food supply

37. With the aim of improving their image in the eyes of the public, given the evidence of the embargo's adverse impact on the food supply of the Cuban people, the various United States administrations have frequently asserted that the embargo does not affect the purchase of food, which can be obtained on any market or produced domestically, and that the real problem is Cuba's economic inability to produce food or generate the resources to import it.

38. One of the chief problems caused by the embargo policy is, precisely, Cuba's lack of access to the

world's largest food producer and to the food produced by subsidiaries based in third countries.

39. As mentioned in the preceding section, the United States' efforts to disrupt the supply of food and health care to the Cuban population were intensified with the adoption of the Torricelli Act in 1992.

40. As a result of this policy, the country has been forced to make extraordinary expenditures in foreign currency. In 2000 alone, Cuba had to spend an additional $38 million for the purchase of food owing to the price differences resulting from the need to seek alternative markets instead of importing food directly from the United States.

41. If, in that year, this amount of money had been available for increasing food purchases, it would have enabled Cuba to buy an additional 100,000 metric tons of wheat, 20,000 metric tons of flour, 40,000 metric tons of rice, 5,000 metric tons of powdered milk and 1,000 metric tons of poultry meat.

42. Also in 2000, the cost of the financing that covers about 63 per cent of total food imports required outlays of over $50 million. Under normal conditions, these outlays would not have exceeded $19 million.

43. Restrictions on food imports also limit the import of agricultural inputs, thereby affecting this sector's capacity to meet the population's needs in terms of both quantity and quality.

44. Since the country must pay higher prices for grain and other inputs for livestock and poultry raising, and must pay more to transport them from distant markets, the volume of products that can be imported is obviously reduced. Consequently, these unrealized imports reduce the availability of meat, milk, milk products and eggs for the population's consumption.

45. Likewise, the economic effects of the embargo have adversely affected the country's livestock and poultry production. In the area of poultry raising alone, poultry meat production fell by 78 per cent and egg production, by 52 per cent after the adoption of the Torricelli Act. Milk and meat production have been severely affected by similar factors, forcing the country to postpone or give up certain development targets in order to provide, through imports, a minimum level of consumption for the most vulnerable sectors of the population, including children, the elderly and the sick.

46. The embargo also prevents access to state-of-the-art animal feeding technologies developed by the United States, which would enhance the efficiency of Cuba's production. If Cuba had access to those technologies, it could, with its current stock of poultry, increase egg production by 291 million units and poultry meat production, by 8,800 tons. Cuba's inability to purchase fertile eggs and breeding stock from the United States costs the country several million dollars a year by requiring it to maintain a comprehensive structure of pure breeding lines.

47. The direct impact of the embargo on poultry production is on the order of $59.6 million annually. The necessity of resorting to distant markets for ingredients of poultry feed such as grains and soybean meal, which constitute 88.3 per cent of the feed, results in additional costs of some $14.3 million a year. This amount would make it possible to buy enough products to produce an additional 250 million eggs each year.

48. The effects on poultry raising extend to agricultural production as a whole. Because the United States embargo robs the Cuban economy of these resources, the country has limited capacity to purchase fuel and spare parts for agricultural equipment and cargo transport, as well as plant protection products and fertilizers. This loss is aggravated by the fact that it reflects not only the additional expenditure that must be made, but also reductions in agricultural output, some of which concern export products, meaning that the country's export earnings are also affected.

49. Probably the most seriously affected industrial sector in the last decade has been the consumption and export of foodstuffs, not only as a consequence of the restructuring of Cuba's external economic relations but, above all, as a result of the stepping-up of the blockade and the bacteriological warfare imposed on the country. This has caused vast economic and material losses to the agricultural and livestock production programmes that were being developed, on which Cuba has submitted a large volume of convincing evidence to the international community.

50. The consumption of food by the Cuban population in 1993 was one third lower than in the 1980s. In addition to this drastic reduction in consumption, expenditure on energy was even greater as a result of difficulties caused in transportation, the rise in the percentage of low-birth-weight newborns

and a considerable increase in vitamin and nutrient deficiency.

51. The country has had to make a vast social and economic effort in order to maintain minimum levels of supply to the population and to begin to restore consumption, which is still below the levels reached previously despite the progress that has been made in recent years.

52. If it had not been for the blockade, the country would be in a position fully to meet the food requirements of the population in terms of quantity, and to ensure high quality and diversity.

Health

53. The destabilization of the Cuban health system has been a systematic objective of the hostile policy and the blockade maintained by the United States for more than four decades.

54. An essential priority of the political action directed against the health sector has been to destabilize the scientific and human resources basis of the medical sector through the systematic encouragement of desertion. Thus, since the early 1960s, not one of the United States Administrations has toned down for a moment its campaigns to encourage the theft of qualified medical personnel. As a result of these campaigns, 50 per cent of the doctors who were present in the early years have left the country.

55. Furthermore, as a part of this policy, any possibility of the transfer of technology and scientific knowledge, and of upgrading the skills of medical personnel has also been prohibited, and access to medical literature, the exchange of experience and participation in medical events and congresses have been impeded.

56. Doctors, nurses and the other personnel of the Cuban health system carry out their work under extremely difficult conditions as a result of the lack of the necessary means of caring for patients and curing the ailments from which they suffer. It is only the high professional and scientific standard of this sector and its spirit of human solidarity that partially offset the material shortages from which it suffers.

57. Although it is universally acknowledged, it is worth pointing out that medical and hospital treatment in Cuba are available free of charge to the entire population without distinction. No effort or expense is spared to protect the life and health of every citizen. However, as a consequence of the United States blockade, medicines and equipment are not always available for dangerously ill patients.

58. However, the Cuban public health sector is affected not only by the above-mentioned factors but also, increasingly, by the inherent structure and reorganization of the worldwide production of drugs and medical equipment, and the international market for them.

59. United States pharmaceutical firms and producers of medical equipment and their subsidiaries in third countries produce over 50 per cent of new pharmaceuticals and over 80 per cent of biotechnology products, the patents for which have a life of up to 17 years. Furthermore, and particularly in the past decade, United States companies have participated widely in the rapid process of acquisitions, mergers and strategic alliances between firms in the sector, with the result that firms that previously supplied medical products and equipment to Cuba ceased to do so owing to the promulgation of the Torricelli Act.

60. This has had a serious impact on all specialities within the health system in terms of the availability of drugs, medical disposables, instruments, equipment and parts, while the technological obsolescence of equipment has become more acute in certain specialities (see chart 1).

61. In some specialities, the consequences of this shortfall have been dramatic, not only in terms of the sufferings of patients and those close to them, but also for the medical and nursing staff who have on occasion been powerless to save lives or treat illnesses because the necessary drug or equipment of United States origin was not available at the right time.

62. The parents of eight-month-old Johnatan Guerra Blanco are two of the many people who can bear witness to his suffering, which would have been less serious if it had been possible to acquire a device called a "stent" which the firm Johnson & Johnson refused to supply.

63. The most adverse effects are related to diagnostic tests such as x-rays, clinical and microbiological laboratory analyses, biopsies and endoscopies.

64. There are many glaring examples of such obstacles. One of them is the firm International Murex Technologies, which, in order to avoid reprisals by the

United States Government, prohibited the supply to Cuba from the United Kingdom of diagnostic equipment which had previously been supplied by one of its companies in that country. This resulted in the abrupt closure of an important source of supply, the search for a new supplier, a wait of at least six months before it was possible to use those products, and an increase in cost.

65. Cuban firms dealing in medical and health-related equipment, technology and materials are unable to obtain laboratory equipment from recognized companies such as: Baxter, Healthcare, Drake Willcock, Vitalmex Interamericana S.A., and other United States companies which refuse to sell equipment, disposables and accessories to Cuban hospitals for dialysis equipment and other tertiary care equipment. Similarly, modern methods of continuous cycling peritoneal dialysis cannot be acquired for Cuban hospitals.

66. With regard to other specialities, it should be added that the purchase of equipment and high-quality basic instruments for ophthalmology, ophthalmic surgery and microsurgery programmes has been severely restricted.

67. Cardiology and cardiovascular surgery are also greatly hindered by the existing regulations and laws concerning Cuba. Specialists at the main child cardiovascular centre in the country bear witness to the extent to which the lives of patients suffering from critical cardiopathies have been endangered because of the impossibility of obtaining modern high-performance antiarrhythmic drugs.

68. One important medicine in the treatment of paediatric cardiology is Prostin VR, produced by the firm Upjohn, which is used only for hospital treatment. This medicine, which is considered vital in saving the lives of children with congenital cianosis and pulmonary atresia, cannot be obtained, even through intermediaries, if the name of a Cuban hospital is mentioned as being the addressee.

69. Moreover, in recent years, Cuba has had no access to over 16 types of cytostatics for cancer therapy, the majority of which are produced by United States companies. This is compounded by difficulties in the use of radiotherapy due to the deterioration and or inadequacy of equipment, which makes cancer therapy of the minimum required quality more expensive, complicated and disabling.

70. By way of example, one may mention the dramatic situation of nine-year-old Yordanky Rodriguez Ramirez, who was suffering from acute high-risk lymphoblastic leukaemia, whose medical treatment had to be continually modified because the most appropriate drugs were not available, thus adversely affecting his progress.

71. Similar difficulties have been experienced by nuclear medicine in the health service because fewer high-cost isotopes are purchased in third countries. In that connection, an even more telling example is Cuba's inability to obtain drugs such as Oncaspar to prolong the life of children suffering from leukaemia, or AZT when it was the only appropriate treatment to delay the advance of HIV.

72. The impact of the restrictions with which the Mother and Child Programme has had to deal is considerable, and serious difficulties have arisen in connection with maternal and child nutrition.

73. The water and sanitation situation, which is an important aspect of prevention and of efforts to improve public health, has deteriorated in recent years. The access of Cuban families to drinking water has been affected by the shortage of chlorine and by the lack of spare parts and components for equipment of United States origin to maintain or repair water supply and purification equipment, some of which is produced by the firm Wallace & Tiernan and its subsidiaries.

74. Restrictions on sanitation have seriously jeopardized public health in Cuba in view of the outbreak of epidemics such as hepatitis, disorders of the gastrointestinal tract and other immunological diseases, particularly among children and adolescents.

75. The impact of the United States policy on the nutrition and health of the population proves the genocidal nature of the blockade, which is intended to deprive the Cuban people of the essential means of life.

Impact on earnings for exports and services

76. The fact that Cuba is an island and the dimensions of its territory make it a country with an open economy highly dependent on foreign trade. By virtue of its geographical proximity to the United States and the influence of that country during the last half-century, Cuban foreign trade used to be highly dependent on the United States market, which

accounted for 64.5 per cent of its total exports and 73.5 per cent of imports.

77. The establishment of the blockade not only put a sudden end to economic and commercial relations with that country, but also affected trade with other geographical areas on account of the extraterritorial measures imposed by the United States and the pressure it has exerted on the firms and Governments of third countries to which reference has already been made.

78. The principal source of the country's foreign earnings was the sugar industry, the development of which was closely linked with the sugar quotas fixed in the United States market.

79. Since the end of the nineteenth century, Cuba was the principal supplier of sugar to the United States and also served as a reserve to cover any deficit in its domestic output. Cuban exports covered one third of sugar consumption in the United States and the earnings from sugar exports at preferential prices represented 80 per cent of Cuba's total export earnings.

80. One of the first measures adopted under the blockade was the cancellation of Cuba's quota in the United States market with the aim of strangling its economy. The fact that it has been impossible to post a price for sugar in the New York market, the principal sugar exchange, has adversely affected Cuban exports since the 1960s. Moreover, the obligation imposed by the United States on its suppliers of sugar, or of products containing sugar, to certify that their output does not use sugar of Cuban origin also reduces the possibilities for marketing.

81. Cuba is thus denied access to the preferential market in the United States, and has to market all its sugar exports at so-called "international sugar market" prices; this is a residual market with prices generally lower than the production costs of efficient producers.

82. The impact of the blockade on the country's income from sugar has caused losses exceeding US$ 6.4 billion since the United States began its policy of hostility. Losses for the year 2000 alone amounted to more than US$ 155 million, and the loss of sales to other customers who export to the United States amounted to a little over US$ 17 million (see chart 2).

83. The United States market also used to be the largest target for Cuban tobacco exports. Prior to the blockade, 34.6 per cent of that country's tobacco imports came from Cuba.

84. Experts estimate that if that market were still accessible, sales would currently stand at 38.6 million cigars, worth US$ 51 million, and leaf tobacco exports would amount to 7,800 tons (US$ 18.7 million). It has even been estimated that under normal conditions, Cuba's market share might be close to 80 per cent of cigar sales in the United States, generating income of more than US$ 166 million.

85. The blockade does not only prohibit trade between the two countries; pressure, threats and punitive actions are also brought to bear against businesses in third States. Under the Helms-Burton Act, the objectives of which include preventing third-State enterprises from investing or doing business in Cuba, it was announced in November 2000 that a legal action was being brought against the European firm Altadis SA and its subsidiaries in the United States, accusing them inter alia of having infringed the blockade against Cuba by entering into a trade agreement with a Cuban enterprise which markets tobacco products.

86. As for certain other agricultural products which were traditionally exported to the United States, it has proved impossible to market them elsewhere and Cuba has lost the corresponding income.

87. Likewise, marine products were formerly a major export from Cuba to the United States. The import ban has led to significant economic losses, attempts to market them elsewhere have not always been successful, and even in successful cases there have been major increases in costs.

88. The fisheries sector, which plays an important part in the supply of protein to the Cuban population, has been hit hard by the consequences of the economic war and acts of aggression, in terms of exports and also of infrastructure and fishing vessels. Furthermore, the United States has denied fishing licences in areas where Cuban fishermen used to fish and has applied political and economic pressure to various coastal States in the area, seeking to deny access by Cuban vessels to their fishing zones.

89. This policy has seriously affected the production of marine products and their availability for consumption.

90. The mining sector is another area of the Cuban economy which has been significantly damaged by the United States policy. Cuba is a major producer and exporter of nickel, an important mineral of which it has the world's third largest reserves.

91. However, Cuba has no access to the nearest market; it is also subjected to discrimination owing to the restrictions adopted by the United States, which demands that no Cuban nickel should be used by foreign suppliers of goods such as industrial products and steel exported to the United States; this directly damages Cuba's exports to its traditional customers.

92. Nickel production has also been affected in recent years by the intimidation of potential foreign investors under the Helms-Burton Act. Between 1992 and 2000, leading mining firms throughout the world were contacted, and they expressed interest in developing the Las Camariocas project in eastern Cuba, but they withdrew from the project after considering the high risk from potential United States reprisals. The resulting losses for Cuba are estimated at about US$ 130 million.

93. A central element in the aggression against Cuba is the fact that United States nationals are prohibited from travelling to Cuba or spending money there, with severe economic and penal sanctions against those who fail to observe the regulations. This measure, by which the United States violates the constitutional rights of its own citizens, is intended to deprive the Cuban nation of a major source of hard currency.

94. Before the blockade began, 80 per cent of United States nationals travelling to the Caribbean visited Cuba. Subsequently, tourism began to develop quickly in the area, but Cuba was excluded from the benefits of that development. It is estimated that under normal conditions, about 25 million United States citizens would have visited Cuba as tourists, which would have generated income of more than US$ 16 billion.

95. Experts have estimated that, without the ban on travel to Cuba, up to 1.45 million American tourists would have visited Cuba in 2000, spending between US$ 800 and 900 million. To this can be added the lost income from tourists travelling on cruise ships, which are forbidden to stop at Cuban ports; that prohibition prevents the full development of the multi-stop type of cruises, which generally begin or end in one of the cities in Florida. The annual number of persons taking such cruises is thought to be close to 13 million.

96. The constraints and difficulties experienced by Cuba in providing and using financial services and engaging in international trade are also due to the prohibitions created as part of the blockade, because Cuba is not permitted to use United States dollars in banking transactions and transfers. In addition to the many problems for the national economy which result from this, it also prevents the use of credit cards, creating additional difficulties for tourists and causing added expense.

97. Furthermore, Cuba does not have access to most international reservation systems, which are United States-owned; this is harmful to efficiency in the tourism industry and tends to reduce the potential numbers of tourists.

98. The development of the tourism sector in Cuba has been obstructed by the intimidation and pressure brought to bear under the Helms-Burton Act against entrepreneurs who have considered investing in that sector. Among the most significant instances of this were the failure of the investment by a Spanish transnational corporation in a project to build between 12,000 and 14,000 homes in Cayo Coco; the withdrawal of another financial company with investments of about US$ 100 million for the integrated development of the Cayo Paredón Grande and Cayo Romano area; and the halting of a project by a Latin American company to build a hotel in Varadero and another in Cayo Coco.

99. In addition to pressure and threats against tour operators, potential investors and enterprises currently operating in Cuba, aimed at forcing them to pull out of the country, it is well known that the tourism sector has been subjected to terrorist acts against hotel premises, with the objective of scaring tourists away from Cuba. This has cost the country millions of dollars; lost income is estimated at over US$ 350 million just for the three years following the terrorist acts.

100. Another sector which has been directly and heavily affected by the blockade is civil aviation, a vital link in the generation of income from tourism and in efforts to neutralize United States attempts to isolate the country.

101. The preamble to the Convention on International Civil Aviation (the Chicago Convention), to which both countries are signatories, calls for international civil aviation to "be developed in a safe and orderly manner" and for international air transport services to

be "established on the basis of equality of opportunity and operated soundly and economically".

102. The policy followed by Washington, D.C., in this area clearly violates the very nature of the objective described in the preamble to the Convention.

103. Among other restrictions, the United States prohibits Cuban airlines from operating commercial flights to the United States, depriving those airlines of considerable income.

104. The Bank Settlement Plan is an essential tool in the airline business; it is the means whereby airlines distribute tickets to all travel agencies affiliated to the International Air Transport Association and receive payment for sales made on their behalf by the agencies. Since that organization uses branches of United States banks in some places, its important services are not available to Cuban airlines.

105. United States aviation fuel suppliers exclude Cuban airlines from their services throughout the world, meaning that Cuban aircraft cannot receive service in airports where those suppliers have a monopoly.

106. United States policy towards Cuba also prevents the purchase and leasing of technologically advanced, efficient aircraft. Although European aircraft manufacturers have a large market share, they use technology from the United States and are therefore not permitted to sell or lease certain aircraft of that type to Cuba. These restrictions compel Cuban airlines to use aircraft which consume more fuel and therefore have lower passenger and cargo capacity, and this damages their competitiveness and efficiency.

107. Generally speaking, Cuba is denied access to new technologies developed by the United States in the fields of communications, aids to air navigation and radio positioning systems, all of which have a significant effect on the safety of air navigation. The restrictions facing Cuba in this regard are even more serious because responsibility for the supply of certain types of equipment has been allocated to the United States pursuant to International Civil Aviation Organization and World Meteorological Organization agreements.

108. Where access to such equipment proves possible through intermediaries, the cost is particularly high for Cuba in comparison to what it would be if the equipment could be obtained directly from the manufacturers.

109. On the basis of United States Treasury Department regulations, the Sabre, Galileo and Worldspan distribution systems, based in the United States, have rejected applications by the Empresa Cubana de Aviación; this has restricted access by the airline's services to 65.7 per cent of qualified reservation offices in 2000, violating the Code of Conduct for Computerized Reservation Systems, which promotes the elimination of discriminatory practices.

110. Overall, Cuban civil aviation has suffered a severe negative impact from the problems described above, and the income and international competitiveness of Cuban enterprises in the air-travel sector have also been damaged.

Recent implications of the blockade policy for Cuba's development and international trade

111. A further consequence of the economic war which is being waged against Cuba is that restrictions have begun to arise in the country's access to global electronic commerce.

112. Last year, Cuba informed the International Telecommunication Union (ITU) of its interest in participating in the project Electronic Commerce for Developing Countries, which enables participating countries to have access to information technologies to ensure secure commerce. The project is being implemented with the participation of the Swiss company WISeKey, which provides information technologies in collaboration with other firms with the same activity profile, some of which are United States firms or use technologies produced in the United States.

113. In spite of the provisions and the recognition that international trade is an instrument of economic and social progress and should be governed by rules and procedures that are compatible with the objectives of part IV, article XXXVI, of the General Agreement on Tariffs and Trade 1994, Cuba has been unable to participate in the ITU global project because of the unilateral policy of trade sanctions imposed by the United States Government.

114. This refusal was made public at the launching of the global project at the end of November 2000 at the WISeWORLD 2000 Conference, at which, as a

consequence of the commercial restrictions imposed by the United States, the developing countries concerned were denied the possibility of obtaining a computer program necessary for the issuance of digital certificates.

115. The computer program that was withheld uses cryptographic techniques which are of commercial use, but it is not powerful enough to be used for other purposes, such as national security.

116. These restrictions have numerous adverse consequences, both for the developing countries and for international trade in general. In particular, they are an impediment to the rapid progress of electronic commerce and prevent secure transactions from being carried out by internationally recognized means.

117. This situation highlights and widens still further the digital gap between countries and complicates international exchanges. Such technological restrictions are incompatible with the expansion of global electronic commerce and with the creation of new trading opportunities as a necessary condition for reaching a multilateral agreement or decision in the framework of the World Trade Organization in favour of unhampered electronic commerce.

118. Cuba has already denounced to the World Trade Organization these new barriers, which are contrary to the spirit of establishing a non-discriminatory, secure and predictable multilateral trading system.

Impact on other sectors of the national economy

119. The adverse effect on maritime transport of the Torricelli Act — since ships carrying goods from Cuba are banned from entering the ports of the United States for a period of six months — has resulted in 2000 in losses of freight charges of the order of $12 million in imports and $1.8 million in exports.

120. During 2000, the fact that equipment, materials and instruments for fuel distribution in Cuba could not be purchased in the United States, the traditional supplier, and had to be bought from other suppliers, increased prices by 30 per cent, equivalent to $332 million.

121. The remoteness of sources of supply of crude oil and its derivatives, as well as other essential materials, resulted in a considerable increase in transportation costs and made necessary an increase in storage capacity at an additional cost of $116.2 million.

122. Between 1996 and 1998 attempts were made to sign contracts with European companies for the creation of an economic partnership in the oil industry as well as for drilling at the company's own risk, but the contracts could not be concluded because of the passing of the Helms-Burton Act and pressure on the companies by the United States Government to withdraw from Cuba. The investment made by the foreign companies in the oil sector totalled $446.6 million up to December 2000. It is estimated that because of the blockade a further $116.6 million had to be paid, a figure which represents a net loss for Cuba.

123. Until 2000, the nickel industry had to address the need to make numerous investments, on occasion having to accept conditions, in order to obtain access to bank financing, such as grace periods that were non-existent, or of less than six months, the provision of full collateral against loans through sureties offered in inventories located in warehouses outside the national territory and highly liquid sureties in the form of accounts receivable. Because it is impossible for the industry to obtain bank loans, it has had to accept very expensive commercial financing. Many profitable and necessary investments have had to be indefinitely postponed, in particular because there is no way of arranging the financial conditions to make them viable in the short term.

124. The operating and maintenance costs of electric power plants which consume low-quality fuels have also increased, representing an additional expenditure in 2000 of $24 million.

125. Five thousand metric tons of chromium concentrate remained unsold because the firm which had traditionally purchased this product had been bought by a United States company. At the present time, it has still not been possible to find a market for all the concentrate, entailing a loss of almost $1 million.

126. In the mid-1990s, there were negotiations on the establishment of a joint venture in the tyre industry with a major international firm. At the final stage, discussions were interrupted by threats from the United States to boycott the sales of the company in that country. As a result, a saving of US$ 9,508,000 in two years of operation through the introduction of state-of-the-art technology was not achieved.

127. In the 1990s, the cement industry was obliged to switch from using fuel oil for production, in favour of

Cuban crude, the physical characteristics of which were not appropriate to the technologies installed in the country. This unavoidable change, which prevented the collapse of the cement industry, led to an increase in the cost of maintenance, which had to be carried out at more frequent intervals, of an estimated $1.50 per metric ton, amounting, over the past 11 years, to an increase of $28.8 million for this industry.

128. The impact on communications has been considerable. The lack of access to modern communication technologies has had an adverse effect in this area. On 12 October 2000, the United States Congress promulgated the Victims of Trafficking and Violence Protection Act of 2000, which contains an amendment authorizing the illegal appropriation of $97 million of the Cuban funds frozen in the United States, a sum equal to the payments owed to Cuba for telephone operations between the two countries.

129. The economic losses in telecommunications, as a consequence of restrictions on commercial traffic, tourism and so forth, total $40 million, which, added to the $97 million belonging to the Cuban Telecommunication Company and seized in the United States, come to a total economic impact on telephony during 2000 of $137 million.

130. As a consequence of the blockade, and given the fact that it is impossible for local insurance companies to purchase reinsurance protection in the United States market, together with the increasing pace of acquisition by United States companies of reinsurance companies and European insurance brokers, the Cuban insurance market is obliged to pay annual premiums of the order of US$ 35 million, approximately $15 million of which are currently transferred to the market through reinsurance. If the conditions described did not exist, our reinsurance costs could be reduced by some $2.5 million and the same risks could be transferred with better protection.

131. Financially, the establishment of the blockade has meant that our country has been completely cut off from traditional sources of financing, both by financial institutions located in the territory of the United States and elsewhere.

132. From 1997 to 2000, the international and regional financial institutions approved a figure higher than US$ 53 billion for Latin America and the Caribbean. If Cuba had had access to loans from those institutions at market rates and on a long-term basis, it would have had an estimated $1.2 billion at its disposal during those four years, which would have had a favourable impact on the Cuban economy. That volume of funding would have made possible the construction of 100,000 homes and four 600-bed hospitals during the period.

133. Pressure from the United States has impeded the multilateral rescheduling of Cuba's official external debt and of development aid, thus making loans more expensive and increasing the related costs.

134. The Cuban banks are not allowed to maintain normal relations in terms of correspondent-bank arrangements, accounts and interchange with their counterparts in the United States, and that has substantially affected the service requested by clients, and by users in general, and increases the costs of banking operations.

135. Because the use of the United States dollar in its external commercial and financial transactions is banned, Cuba is obliged to conduct such operations in the currencies of third countries, in spite of the fact that the main Cuban imports and exports are quoted on the world market in United States dollars. This problem gives rise to substantial economic losses because of the fluctuation of the United States dollar against the currencies of Cuba's main commercial partners, and because export contracts have to be negotiated in dollars and paid for in other currencies. This situation also creates an ongoing climate of instability among firms because of the twofold exchange-rate risk they have to face.

136. Another consequence associated with the economic, commercial and financial blockade of Cuba is the fact that the country has not been able to normalize its external financial situation. For many years, Cuba has suffered from the lack of medium- and long-term credit facilities for the purposes of economic and social development and has been almost totally dependent on obtaining short-term loans on very burdensome terms. This has considerably restricted the utilization of the financial resources available to ensure sustainable development and sufficient capacity for debt servicing. Moreover, it is estimated that, over the past 10 years, as a result of the policy of the United States, between 350,000 and 400,000 homes, which would have improved the quality of life of some 1.4 to 1.6 million poor people, have not been built.

137. In October 2000, a grand jury in Philadelphia decided to indict the Purolite Company of the United

States and several of its executives on the grounds that they had violated the blockade against Cuba by selling United States chemicals for industrial processes to be shipped to Havana through third countries.

138. In April 2000, the Canadian company Svedala Industries, Inc., stated that owing to circumstances beyond its control it could not participate in a project with a Cuban entity to ship nickel, because the design and engineering details were all the property of a United States firm. This had an impact on the Cuban nickel industry. Innumerable cases of blackmail and of pressure against European companies could also be mentioned.

139. As a consequence of the Helms-Burton Act, a contract with a Canadian refinery for the marketing of sugar was lost, resulting in a fall in revenue of some $30 million a year since 1996. Another Canadian sugar refinery could not reach the 150,000 metric tons contracted for, or the additional 50,000 metric tons that had been planned, because Cuban sugar is used only by producers whose end products are intended for the Canadian market and not that of the United States. Similarly, it is still the case that other Canadian producers that export to the United States market cannot use Cuban sugar for their soft drinks, sweets or other foods, and that firm is therefore obliged to buy less sugar from Cuba. The consequential damage is estimated at some $17.5 million.

140. In November 2000, the First Secretary for Financial Affairs of the United States Embassy in Germany, Mr. Thomas Engle, sent a letter to Mr. Scharf, manager of Sket, a German firm specializing in rolling-mill technology, asking for more details of the steel rolling project in Cuba and in particular the firm's plans with regard to the request for public financing, in other words, the provision of insurance cover for the loan that was to be received by the project. This unusual communication was based by Mr. Engle on the supposed interest of the Steel Manufacturers Association of the United States. The project, which was not finalized, was to have used funding from the Standard Bank of Germany.

141. Also in 2000, information emerged on the pressure to which the German steel group ThyssenKrupp was being subjected by the Government of the United States, as a result of which the group was obliged temporarily to break off its economic links with Cuba.

142. In spite of the continuous attempt by Governments of the United States to play down the effect of its policy towards Cuba, the impact of its economic, commercial and financial blockade is real and substantial for both the growth and economic development of the country, and for the well-being and health of its population. It also disrupts the climate that should prevail in the field of international trade and has very adverse implications for third States and firms under their jurisdiction, as the General Assembly has repeatedly recognized.

Chart 1

Economic losses to the health-care system caused by the United States economic, commercial and financial blockade

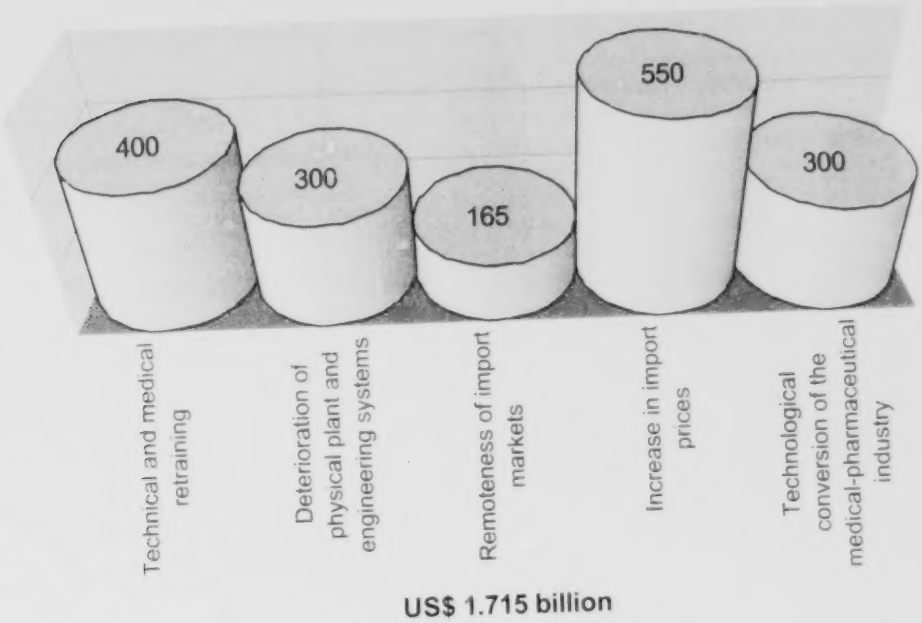
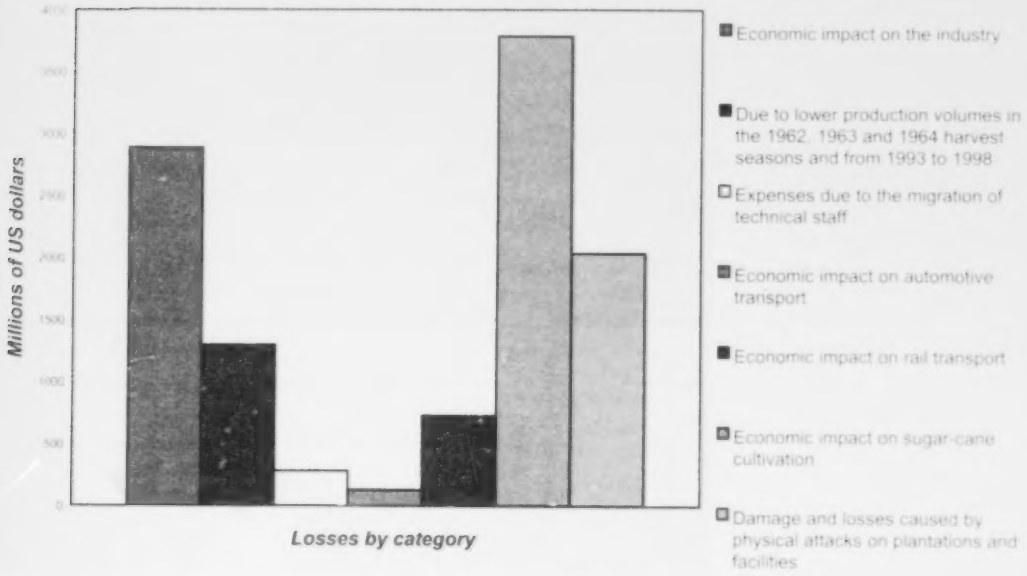


Chart 2

Damage and losses to the Cuban sugar agro-industry caused by the United States economic, commercial and financial blockade


Millions of US dollars
0
500
1000
1500
2000
2500
3000
3500
4000
Losses by category
Economic impact on the industry
Due to lower production volumes in the 1962, 1963 and 1964 harvest seasons and from 1993 to 1998
Expenses due to the migration of technical staff
Economic impact on automotive transport
Economic impact on rail transport
Economic impact on sugar-cane cultivation
Damage and losses caused by physical attacks on plantations and facilities

Czech Republic

[Original: English]
[21 May 2001]

1. The Czech Republic applies no laws or administrative measures aimed at restriction of its mutual economic relations.

2. The Czech Republic, in line with the provisions of resolution 55/20, does not consider political, economic or other forms of containment and isolation to be an efficient tool for substantially improving the situation in Cuba.

Democratic People's Republic of Korea

[Original: English]
[2 July 2001]

1. To oppose the imposition of unilateral sanctions on a sovereign State is the consistent position of the Government of the Democratic People's Republic of Korea.

2. Imposing sanctions on other countries in pursuit of economic interest and political purposes constitutes a violation of the principles of respect for sovereign equality and the right to self-determination embodied in the Charter of the United Nations and relevant resolutions.

3. The economic, commercial and financing embargo imposed by the United States against Cuba is the result of the United States' hostile policy against Cuba.

4. In this context, the Government of the Democratic People's Republic of Korea once again strongly urges the United States to end the economic, commercial and financing embargo against Cuba at the earliest possible date, in conformity with above-mentioned United Nations resolution adopted by a majority of Member States.

Ecuador

[Original: Spanish]
[11 April 2001]

1. Ecuador, in conformity with its Constitution and in accordance with the Charter of the United Nations and the principles of international law, has not adopted, nor will it adopt in the future, any laws that run counter to the freedom of international trade or violate the principle of non-interference in the internal policies of States. These principles are reflected in each and every legal, political and economic action taken by Ecuador both domestically and internationally. Consequently, Ecuador does not apply any type of sanctions against Cuba and maintains normal diplomatic relations with that country. Accordingly, Ecuador has supported the communiqués issued by the European Union, the Rio Group and the Movement of Non-Aligned Countries relating to the question and, on the basis of these considerations, has taken a very clear position against the Helms-Burton Act within the Organization of American States.

Egypt

[Original: English]
[21 June 2001]

The delegation of Egypt has voted in favour of the resolutions, in line with Egypt's consistent view that unilateral sanctions outside the United Nations framework are not a course of action that Egypt can condone.

European Union

[Original: English]
[27 June 2001]

1. The European Union believes that the United States trade policy towards Cuba is fundamentally a bilateral issue. Notwithstanding, the European Union and its member States have been clearly expressing their opposition to the extraterritorial extension of the United States embargo, such as that contained in the Cuban Democracy Act of 1992 and the Helms-Burton Act of 1996.

2. One could underline the fact that, in November 1996, the Council of Ministers of the European Union adopted a regulation and a joint action to protect the interest of natural or legal persons resident in the European Union against the extraterritorial effects of the Helms-Burton legislation, which prohibits compliance with that legislation. Moreover, on 18 May 1998, at the European Union-United States Summit in

London, a package was agreed covering waivers to titles III and IV of the Helms-Burton Act; a commitment by the United States administration to resist future extraterritorial legislation of that kind; and an understanding with respect to disciplines for the strengthening of investment protection. The European Union continues to urge the United States to implement its side of the 18 May 1998 Understanding.

Georgia

[Original: English]
[10 July 2001]

The legislation of Georgia does not prohibit or restrict economic, commercial or financial relations with Cuba.

Greece

[Original: English]
[14 June 2001]

1. Greece has been fully implementing the said resolution and has never thus far promulgated and applied laws and regulations of the kind referred to in resolution 55/20, by which an economic, commercial and financial embargo against Cuba would have been applied.

2. Greece has signed bilateral Agreements with Cuba on economic cooperation and on protection of investments.

Guatemala

[Original: Spanish]
[10 July 2001]

There are no legal or regulatory impediments in Guatemala to the freedom of transit or trade with the Republic of Cuba. Accordingly, it is the policy of the Government of Guatemala to oppose any coercive measures that run counter to the provisions of international law.

Guinea-Bissau

[Original: English]
[11 June 2001]

1. The Government of Guinea-Bissau has refrained from promulgating and applying any laws or measures against Cuba of the kind referred to in the preamble of this resolution, thereby complying with its obligations under the Charter of the United Nations and international law, inter alia, with regard to freedom of trade and navigation.

2. The Government of Guinea-Bissau notes with regret, however, that, although the General Assembly of the United Nations has for nine successive years adopted resolutions on the matter in question and by an overwhelming majority of the Member States, the super-Power in question has shown no signs of relaxing its policy of economic, commercial and financial strangulation of Cuba.

Guyana

[Original: English]
[29 June 2001]

The Republic of Guyana has not promulgated nor applied any laws or regulations, the extraterritorial effects of which affect the sovereignty of other States. It is thus fully in observance of resolution 55/20 and is committed to continuing support.

Haiti

[Original: French]
[3 May 2001]

The Republic of Haiti has refrained from promulgating and applying laws and regulations whose extraterritorial effects affect the sovereignty of other States.

Iceland

[Original: English]
[19 June 2001]

Iceland has the honour to state that there have never been any trade restrictions imposed by Icelandic authorities on trade with Cuba.

India

[Original: English]
[10 July 2001]

1. India has not promulgated nor applied any laws of the type referred to in the preamble of the above-mentioned resolution and, as such, the necessity of repealing or invalidating any such laws or measures would not arise.

2. India has consistently opposed any unilateral measures by countries which impinge on the sovereignty of another country. This includes any attempt to extend the application of a country's laws extraterritorially to other sovereign nations.

3. India recalls the Final Communiqué adopted by the Thirteenth Ministerial Conference of the Movement of Non-Aligned Countries held in Cartagena, Colombia in April 2000 on this subject and urges the international community to adopt all necessary measures to protect the sovereign rights of all countries.

Indonesia

[Original: English]
[29 June 2001]

1. Indonesia has always been a country committed to the principles of justice, equality and peace, the importance of which is clearly stipulated in the 1945 Constitution of the Republic of Indonesia. The Charter of the United Nations and other generally recognized instruments of international law also contain provisions on the compliance to these principles, as well as to the principles of sovereign equality of States, non-intervention and non-interference in their internal affairs and freedom of international trade and navigation. It is therefore befitting that Indonesia has continuously endeavoured to renounce the use of coercive measures as a means of exerting pressure in relations among members of the United Nations. In this regard, Indonesia has not promulgated nor implemented laws or measures that restrict or impede the flow of trade and impinge on the sovereignty of other States.

2. For that reason, Indonesia regrets to note that a unilateral economic embargo continues to be imposed on Cuba for more than 40 years; this is even further compounded by the application of a national act which has extraterritorial ramifications. In this regard, it is worth referring to the reports of various United Nations organs and agencies which have demonstrated the immensely adverse socio-economic impact that these regulations have had on the Cuban people, and particularly the elderly, women, youth and infirmed population, and thereby seriously impeded the development of the aspirations of the Cuban people.

3. Indonesia also notes that proposals to ease the embargo were introduced at the United States Senate and Congress, as well as that signs of overtures were initiated by the previous United States Government, and encourages these promising developments to be given further consideration and eventual approval. In heeding the overwhelming support of the international community for the lifting of the economic, commercial and financial sanctions against Cuba, in keeping with the spirit of the Millennium Declaration, and in observance of the good-neighbourliness principle, steps in this direction should be pursued with vigour towards its ultimate realization.

Iran (Islamic Republic of)

[Original: English]
[28 June 2001]

1. The economic, commercial and financial embargo imposed by the United States of America against Cuba contravene all laws and principles governing international relations, the provisions of the Charter of the United Nations, as well as the laws governing international trade and related conventions.

2. The Islamic Republic of Iran believes that while the international community is directing its endeavours towards the promotion of friendly relationships among countries, resolving tensions and the further improvement and expansion of commercial and financial relations at the global level, the economic, commercial and financial embargo imposed by the United States of America against Cuba has caused the Cuban people serious suffering and also created difficulties and constraints in global, as well as regional, commercial and financial relations.

3. The Islamic Republic of Iran is of the view that, since such measures serve to undermine international peace and security and create political and economic instability in other countries, the international

community should take all necessary measures towards repealing them and preventing similar actions.

4. Moreover, the international community, in particular the United Nations and other relevant international and multilateral organizations, should redouble their endeavours towards the creation and strengthening of a conducive international economic environment capable of providing equal opportunities for all countries to benefit from international financial and trade systems. Resort to unilateral economic coercive measures does not serve such an important and vital objective; it only jeopardizes the legitimate economic interests of the targeted countries with severe adverse impacts on the vulnerable segment of societies, as well as on their commercial partners.

Iraq

[Original: Arabic]
[31 May 2001]

1. In its resolution 55/20, the General Assembly recognizes the necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba. Despite the Assembly's annual appeal to the United States of America to comply with this resolution, that country still persists in ignoring the will of the international community and has now maintained the embargo against the people of Cuba for more than 40 years.

2. The embargo has seriously impeded economic and social development, has caused suffering, has created countless difficulties for Cuba's external trade and has had an adverse impact on Cuba's trading partners.

3. The United States embargo against Cuba violates the basic rights of the Cuban people, the foremost of which is the right to life, and it is accompanied by constant attempts to interfere in the country's internal affairs. The conduct of the United States exemplifies the politics of power and hegemony in which it engages in its international relations and in imposing its will on international institutions so as to advance its colonialist objectives and interests.

4. The United Nations must resolutely confront American contempt with the will of the international community and must put an end to the hostile United States practices exemplified by the imposition or threatened imposition of sanctions against the countries of the world. This policy of the United States is found in its most heinous form in the comprehensive embargo that has been maintained against the people of Iraq for more than 10 years because of American intransigence. The embargo against Iraq constitutes an instance of the crime of genocide that has thus far taken the lives of more than one and a half million civilians, most of them children and women. The United States insists on maintaining its policy of aggression despite the fact that the reports of United Nations agencies and human rights organizations have concluded that such sanctions are illegal according to international law and the norms of human rights and are in flagrant violation of the Charter of the United Nations.

Jamaica

[Original: English]
[19 June 2001]

1. Jamaica has consistently supported the several resolutions of the General Assembly which call for the cessation of the economic, commercial and financial embargo imposed by the United States of America against Cuba. We remain convinced that constructive engagement is the only viable option for the elimination of tension and ensuring peace and stability in the Caribbean. We are committed to strengthening our relations with Cuba, our nearest neighbour and a member of the Caribbean family.

2. There is no Jamaican law or measure which could have an extraterritorial impact on the sovereignty of any State and the legitimate interest of nations, or hinder the freedom of trade and navigation.

3. Jamaica strongly opposes the extraterritorial application of national legislation, which could undermine the sovereignty of States.

4. Jamaica adheres firmly to the principles of sovereign equality of States, non-intervention and peaceful coexistence of States and attaches great importance to the observance of the principles enshrined in the Charter of the United Nations.

Japan

[Original: English]
[15 May 2001]

1. The Government of Japan has not promulgated nor applied laws or measures of the kind that are referred to in paragraph 2 of resolution 55/20.

2. The Government of Japan believes that the economic policy of the United States towards Cuba should be considered primarily as a bilateral issue. However, Japan shares the concern, arising from the Helms-Burton Act of 1996 and the Cuban Democracy Act of 1992, regarding the problem of extraterritorial application of jurisdiction, which is likely to run counter to international law.

3. The Government of Japan has been closely following the situation in relation to the above-mentioned legislation and the surrounding circumstances and its concern remains unchanged. Having considered the matter with the utmost care, Japan voted in favour of resolution 55/20.

Kenya

[Original: English]
[12 July 2001]

1. Kenya voted in favour of resolution 55/20.

2. At no time has Kenya promulgated or applied laws and measures of the kind referred to in the preamble.

Lao People's Democratic Republic

[Original: English]
[17 April 2001]

1. It is regrettable that the embargo and sanctions imposed by the United States of America over the years against Cuba is still in force. Such an embargo, with its extraterritorial implications, has not only hampered the economic and social development of Cuba, but has also violated the principles of the sovereign equality of States, as well as the freedom of international trade and navigation. As far as it is concerned, the Lao People's Democratic Republic, abiding by and complying with all the principles and purposes enshrined in the Charter of the United Nations and international law, has neither promulgated nor applied any laws and measures of the kind referred to in paragraphs 2, 3 and 4 of General Assembly resolution 55/20.

Lebanon

[Original: Arabic]
[1 June 2001]

1. The Permanent Mission of Lebanon to the United Nations has the honour to state that Lebanon is committed to the tenor of General Assembly resolution 55/20 in accordance with the principles of the Charter of the United Nations and international law, both of which affirm that it is essential to respect the sovereignty of other States, the legitimate interests of entities or persons under their jurisdiction and the freedom of trade and navigation.

Libyan Arab Jamahiriya

[Original: Arabic]
[7 July 2001]

1. In keeping with its endorsement of General Assembly resolution 55/20 of 9 November 2000, the Libyan Arab Jamahiriya opposes the economic, commercial and financial embargo imposed by the United States of America against Cuba on the grounds that such an embargo is in violation of the Charter of the United Nations and of those of its principles that require Members of the Organization to resolve their disputes and differences by peaceful means.

2. In conformity with the purposes and principles of the United Nations and out of respect for the norms of international law, the Libyan Arab Jamahiriya has neither promulgated nor applied any laws of the kind referred to in the relevant paragraph of General Assembly resolution 55/20.

3. For more than a decade and a half, the Libyan Arab Jamahiriya has been enduring measures imposed upon it by the United States of America that are similar to those being maintained against Cuba. They have included the freezing of Libyan assets held in American banks and the imposition of restrictions on the transfer of technology to Libya and the debarment of Libyan students from pursuing advanced studies in this area at American universities. The United States

Government has ignored all of the international appeals for an end to these measures. In the middle of the last decade, it proceeded to strengthen the unilateral sanctions it had imposed on the Libyan people when, on 19 June 1996, the United States Congress enacted a law (H.R.3107) that imposed sanctions on any person who made an investment of $40 million or more "that directly and significantly contributed to the enhancement of Libya's ability to develop its petroleum resources".

4. The United States Government still persists in enforcing this so-called D'Amato Act despite continued international rejection of such measures, as illustrated by the positions taken by many international and regional organizations. These include the Movement of Non-Aligned Countries, the Group of 77, the Organization of the Islamic Conference, the League of Arab States and the General Assembly of the United Nations. The latter has adopted many resolutions on this subject, the most recent being its resolution 55/6 of 26 October 2000 in which it: reaffirms that all peoples have the right to self-determination and to endeavour to achieve economic, social and cultural development; expresses its deep concern at the negative impact of unilaterally imposed extraterritorial coercive economic measures on trade and financial and economic cooperation, including at the regional level, because they are contrary to the recognized principles of international law; and calls upon all States not to recognize or apply unilateral extraterritorial coercive economic measures imposed by any State on corporations and nationals of other States.

5. Since it considers that the imposition of coercive measures is incompatible with the purposes of the United Nations and violates the principles of international law, the Libyan Arab Jamahiriya reaffirms the provisions of paragraphs 2 and 3 of resolution 55/20 and calls upon the States concerned to desist from enforcing the laws and other coercive measures imposed on Cuba, or on any other country, and to take the necessary steps to repeal or invalidate them.

Liechtenstein

[Original: English]
[20 April 2001]

1. The Government of the Principality of Liechtenstein has not promulgated nor applied any laws or measures of the kind referred to in the preamble to resolution 55/20, adopted by the General Assembly on 9 November 2000. The Government of the Principality of Liechtenstein is furthermore of the view that legislation, the implementation of which entails measures or regulations that have extraterritorial effects is inconsistent with generally recognized principles of international law.

Malaysia

[Original: English]
[16 July 2001]

1. With reference to General Assembly resolution 55/20, Malaysia wishes to reiterate its support for efforts towards ending the economic, commercial and financial embargo imposed by the United States of America against Cuba. Malaysia views with concern the continued existence of the unilateral sanction as a means of political and economic coercion against a sovereign State and a member of the United Nations. Such a measure by the United States against Cuba runs contrary to international law and threatens freedom of trade and navigation.

2. Subscribing to the principle of non-interference in the domestic affairs of sovereign States, Malaysia has not promulgated or applied any laws of the nature referred to in the preamble of this resolution which have adverse extraterritorial effects and would undermine the sovereignty of Cuba or any other State. In fact, Malaysia continues to have close bilateral relations with Cuba and is exerting efforts to enhance existing trade and economic activities with it.

3. Therefore, Malaysia reaffirms its commitment to the principles contained in resolution 55/20 and calls for universal compliance with paragraphs 2 and 3 of the resolution.

Mali

[Original: French]
[16 April 2001]

1. The Government of the Republic of Mali wishes to express its continuing concern at the failure to implement the relevant resolutions of the General Assembly in which the Assembly urges the

Government of the United States of America to lift its economic and financial embargo against Cuba.

2. The Government of the Republic of Mali is firmly convinced that the economic embargo imposed by the United States against Cuba and the Helms-Burton and D'Amato Acts are a violation of international law and of the principles of the Charter of the United Nations. Mali considers the extraterritorial effect of the above-mentioned Acts to be a violation of the territorial integrity of States and an impediment to freedom of trade and navigation.

3. The Government of the Republic of Mali continues to be deeply concerned at the adverse consequences of the economic embargo in force, which has worsened the situation of the most vulnerable sectors of the Cuban population, particularly women, children and the elderly, and wishes to reaffirm by this reply its continued opposition to the embargo imposed against Cuba.

Mexico

[Original: Spanish]
[6 July 2001]

1. Mexico has not promulgated and does not apply any legal provisions with extraterritorial effects. Mexico has always opposed the use of coercive measures as a means of exerting pressure in international relations.

2. Mexico bases its foreign policy on the principles of international law governing coexistence among nations: the peaceful settlement of disputes, the legal equality of States, non-interference in their internal affairs and the right of peoples to self-determination.

3. The people and Government of Mexico have repeatedly expressed their opposition to the unilateral imposition of political and economic sanctions which have not been decided upon by the Security Council or the General Assembly. Mexico has opposed the economic, commercial and financial embargo against Cuba and has supported all the resolutions adopted by the General Assembly on the necessity of ending it.

4. When the so-called Helms-Burton Act was promulgated, the Government of Mexico stated that it contravened the provisions of international law. That view was echoed in the opinion handed down on 4 June 1996 by the Inter-American Juridical Committee.

5. On 24 October 1996, the Act on Protection of Trade and Investment against Foreign Laws Which Violate International Law entered into force in Mexico. This law seeks to eliminate the negative impact of foreign extraterritorial measures that affect Mexico's trade with other countries. The Act:

(a) Prohibits national courts from recognizing and executing foreign judicial decisions and orders which are directed against enterprises established or situated in Mexico and based on foreign laws that have extraterritorial effects and are contrary to international law;

(b) Prohibits enterprises established or situated in Mexico from acting or neglecting to act in a manner which might impair Mexico's trade or investments on the basis of such laws;

(c) Provides for the right to take legal action before federal courts on behalf of individuals or legal entities situated or established in Mexico in order to sue for payment for damages or loss resulting from a judicial or administrative procedure carried out by foreign courts or authorities in application of such laws;

(d) Prohibits the provision of information requested by foreign courts or authorities on the basis of such laws for the purpose of using it against such enterprises, and imposes financial penalties for non-compliance.

6. Mexico has friendly and respectful relations with the Republic of Cuba. Accordingly, the Mexican Government has maintained a non-discriminatory trade policy towards that country and has opposed any attempt to undermine the mutually beneficial economic ties that unite the two peoples.

7. Mexico has provided financing to Cuba on various occasions in the recent past through its National Bank of Foreign Trade, and is currently negotiating a financial instrument aimed at expanding bilateral trade. On 30 May 2001, an agreement was signed for the reciprocal promotion and protection of investments.

8. Mexico deplores the adverse consequences which the economic, commercial and financial embargo has had on the Cuban people and emphasizes the importance of the appeals made by the General Assembly to definitively lift the embargo imposed on that country.

Myanmar

[Original: English]
[29 June 2001]

1. The Government of the Union of Myanmar continues to maintain its consistent policy of strict compliance with the purposes and principles enshrined in the Charter of the United Nations and of scrupulous respect, among others, for the principles of the sovereign equality of States, non-intervention and non-interference in the internal affairs, freedom of trade and international navigation.

2. The Union of Myanmar is of the view that the promulgation and application by Member States of laws and regulations the extraterritorial effects of which affect the sovereignty of other States and the legitimate interests of entities or persons under their jurisdiction, as well as the freedom of trade and the freedom of navigation, violate the universally adopted principles of international law.

3. In conformity with the above, the Union of Myanmar has not promulgated any law and regulations of the kind referred to in the preamble to General Assembly resolution 55/20.

Namibia

[Original: English]
[29 June 2001]

1. The Government of the Republic of Namibia believes in the sovereignty of each nation State and upholds the principles of non-interference in the internal affairs of other States.

2. The Government of the Republic of Namibia has never imposed any trade or commercial sanctions against Cuba. The Government of the Republic of Namibia condemns the Helms-Burton Act, which has a wide extraterritorial nature. This law is a direct violation of States' sovereignty, a serious breach of the principles of the Charter of the United Nations, international law and a violation of the rules of international trade system.

3. The imposition of the blockade on Cuba has brought immense suffering to the people of Cuba, and Namibia will continue to actively support the lifting of the United States blockade against Cuba.

Niger

[Original: French]
[16 July 2001]

1. The Government of the Niger, which is firmly committed to the principles of the sovereign equality of States and non-interference in their internal affairs, wishes to reaffirm its primary objective of promoting mutually beneficially economic and commercial relations among all nations of the world that are committed to peace and justice. The Niger is therefore opposed to the promulgation of unilateral measures, which moreover lack any basis in international law and tend to have a negative impact on freedom of trade and navigation.

2. The Niger strongly urges that these measures be rescinded, in accordance with the relevant resolutions of the General Assembly. The measures, which, moreover, affect mainly innocent civilian populations, are contrary to the ideals of the United Nations and are an impediment to the promotion of human, social and economic rights.

Norway

[Original: English]
[9 July 2001]

Norway has not enacted any economic embargo against Cuba or adopted other measures contradictory to General Assembly resolution 55/20.

Panama

[Original: Spanish]
[6 June 2001]

The Government of Panama opposes the unilateral application, with extraterritorial effects, of national laws and measures that affect the trade and international relations of other States, since they are contrary to international law and the principle of the legal equality of States. Panama also considers that the use of economic measures as a means of exerting pressure is contrary to the principles of the Charter of the United Nations and international law.

Peru

[Original: Spanish]
[12 July 2001]

1. No law or measure whatsoever of the kind referred to in General Assembly resolution 55/20 exists or is applied in Peru.

2. The position of the Government of Peru on this matter is based on the joint measures adopted at meetings of the Permanent Mechanism for Consultation and Concerted Political Action in Latin America (Rio Group) and on the declarations adopted at the Ibero-American Summits held in recent years.

3. The Government of Peru does not agree with unilateral and extraterritorial measures which seek to affect the internal political process of a specific State. Peru considers that due respect for the national constitutional order is essential in international relations based on the principles of international law concerning non-intervention and non-interference in the internal affairs of States.

4. Lastly, the Government of Peru wishes to reaffirm its strong and unswerving commitment to the common objectives of guaranteeing representative democracy, respect for human rights and economic freedom.

Philippines

[Original: English]
[18 June 2001]

The Government of the Philippines fully supports the measures called for in resolution 55/20, and will continue to do so.

Qatar

[Original: Arabic]
[28 June 2001]

1. The State of Qatar has not enacted any laws or regulations of an extraterritorial character or that affect the sovereignty of other States, the legitimate interests of entities or persons under their jurisdiction or the freedom of trade and navigation, and it has taken no other measures that are contrary to General Assembly resolution 55/20.

2. The Government of the State of Qatar pursues a policy of strict compliance with the purposes and principles enshrined in the Charter of the United Nations, especially the principle of the sovereign equality of States and that of non-interference in their internal affairs.

3. The Government of the State of Qatar rejects the use of economic measures as a means to achieve political objectives, and it adheres in its relations with other countries to the basic principles of the Charter of the United Nations and the norms of international law.

Republic of Korea

[Original: English]
[20 April 2001]

The Government of the Republic of Korea has not promulgated nor applied laws or administrative measures of the kind referred to in the preamble of General Assembly resolution 55/20.

Russian Federation

[Original: Russian]
[3 July 2001]

1. The position of the Russian Federation concerning the implementation of the General Assembly resolution entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba" has remained unchanged since 1994: our country shares the view of the overwhelming majority of Members of the United Nations condemning the United States embargo against Cuba, being in favour of its abrogation and affirming the inadmissibility of any unilateral actions being taken by States in violation of the provisions of the Charter of the United Nations and the basic principles and norms of international law.

2. The Russian Federation, like the overwhelming majority of States Members of the United Nations, considers that the continuation of the trade, economic and financial blockade of Cuba by the United States is a relic of the "cold war", which is out of keeping with the times and with the realities of present-day international relations, and is artificially impeding the formation of a world order for the twenty-first century

based on the fundamental principles of international law.

3. Accordingly, together with other States, we have repeatedly expressed disagreement with the efforts by certain circles in the United States to tighten the embargo and to give extraterritorial effect to the provisions of the Cuban Liberty and Democratic Solidarity Act of 12 March 1996. This law can rightly be described as discriminatory and as contrary to the provisions of the Charter of the United Nations, the norms of international law and the principles of the freedom of international trade and navigation.

4. While we are aware of the narrowness and inadequacy of the Act Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending 30 September 2001, adopted by the United States legislature on 28 October 2000, the provisions of which allow United States companies to deliver foodstuffs and medicines to Cuba, we nevertheless consider it an obvious manifestation of the tendency to alter the present dead-end approach to the trade and economic relations with Cuba which have been artificially frozen by the United States of America. We hope that, in the future, the new United States Administration will display a more pragmatic and realistic approach to the Cuban problem.

5. We in the Russian Federation are convinced that the lifting of the commercial, economic and financial embargo imposed by the United States on Cuba, in particular, and the normalization of United States-Cuban relations, in general, would help to improve the situation in the region, would be conducive to the greater inclusion of Cuba in international and economic relations, and would thereby promote its advancement along the path of reform and positive changes in its economic and social life.

6. The Russian Federation, firmly guided by the principles enshrined in the resolution of the sovereign equality of States, non-intervention and non-interference in their internal affairs and freedom of international trade and navigation, reaffirms its intention to continue to develop normal trade and economic relations with Cuba that are based on common interest and mutual advantage and are conducted in strict accordance with the Charter of the United Nations and the generally recognized principles and norms of international law, without any discrimination or detriment to the legitimate rights and interests of the parties.

7. Being guided by the provisions of the joint Statement on the outcome of the talks between Vladimir Putin, President of the Russian Federation and Fidel Castro, President of the Council of State and of the Council of Ministers of the Republic of Cuba, held in Havana in December 2000, on the inadmissibility of any discriminatory measures or of intervention or interference in the affairs of either party, the Russian Federation expresses the hope that steps will be taken by the new Administration of the United States of America to review United Sates policy with respect to Cuba in the sprit of the historic decisions approved in 2000 at the Millennium Summit and Assembly by the leaders of the States Members of the United Nations. That would make a significant contribution to the realization of one of the key provisions of the Millennium Declaration adopted at the Summit, namely to strengthen respect for the rule of law in international as in national affairs and to establish a just and lasting peace all over the world in accordance with the purposes and principles of the United Nations Charter, which have proved their timeless and universal character.

San Marino

[Original: English]
[27 June 2001]

The Republic of San Marino has always and generally been against any imposition of any embargo and in particular against the embargo on Cuba as a means of pressure, because of the serious repercussions on the population, especially as far as medial assistance and food provision are concerned.

Senegal

[Original: French]
[4 June 2001]

Senegal has never promulgated or applied measures in connection with the economic, commercial and financial embargo imposed on Cuba by the United States of America, and has no intention to do so.

Seychelles

[Original: English]
[6 June 2001]

1. The Government of the Republic of Seychelles fully endorses the content of resolution 55/20 and subsequently does not have nor applies any laws and measures which may in any manner or form constitute or contribute to an imposition of economic, commercial or financial embargo against Cuba.

2. Furthermore, the Government of Seychelles is of the view that legislation, the implementation of which entails measures or regulations having extraterritorial effects is inconsistent with generally recognized principles of international law.

South Africa

[Original: English]
[16 July 2001]

1. The Republic of South Africa reiterates its opposition to the unilateral punitive economic, commercial and financial embargo imposed by the United States of America against Cuba.

2. In this regard, the Government of South Africa maintains political, economic, trade, financial and cultural relations with the Republic of Cuba pursuant to action required under this resolution.

Sudan

[Original: English]
[11 July 2001]

1. The Government of the Sudan pursues a policy that respects the principle of the sovereign equality of States and non-interference in the internal affairs of others. Consistent with its principled stand, the Sudan, which opposes the imposition of sanctions on developing countries, voted in favour of General Assembly resolution 55/20, as did the majority of States. The Government of the Sudan reaffirms that it does not promulgate or apply any laws or measures that could, by being applied outside its own national borders, affect the sovereignty of any State.

2. On the basis of the foregoing, the Sudan opposes the economic and commercial embargo imposed by the United States against Cuba, which has caused great damage to the Cuban people and violated its legitimate rights and interests, being a flagrant violation of international law and the Charter of the United Nations and showing disregard for their lofty and noble principles.

3. The Sudan itself is suffering from the unilateral economic sanctions imposed on it by the United States, pursuant to the executive order signed by President Clinton in early November 1997. It was unfortunate that the United States, in order to exert pressure on the Government of the Sudan, imposed these sanctions on the basis of ungrounded suspicions and accusations that have remained unsubstantiated for many years. Such unilateral sanctions are in violation of the legitimate right of the Sudan and its people to choose their own political, economic and social system that fully responds to their aspirations.

Syrian Arab Republic

[Original: Arabic]
[5 June 2001]

1. Proceeding from its position of principle with respect to the item entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba", the Syrian Arab Republic voted in favour of General Assembly resolution 55/20, affirming as it does the need for compliance with the purposes and principles of the Charter of the United Nations, the sovereign equality of States and non-intervention in their internal affairs and freedom of international trade and navigation. The resolution in question also urges States to take the necessary steps to end as soon as possible the economic, commercial and financial blockade that has been maintained against Cuba for more than three decades. The Syrian Arab Republic would like to recall in this connection the final document of the Thirteenth Ministerial Conference of the Movement of Non-Aligned Countries, held in Cartagena, Colombia, on 8 and 9 April 2000 (A/54/917-S/2000/580, annex), in which the ministers call upon the countries that are maintaining these sanctions to end the embargo imposed on Cuba given that it is in contravention of the Charter of the United Nations, the norms of international law and the principles of good neighbourliness. Syria also refers to the Declaration of the South Summit (A/55/74, annex I), adopted by the

Group of 77 and China in Havana on 14 April 2000, in which the participants firmly reject the imposition of laws and regulations with extraterritorial impact and all other forms of coercive economic measures (para. 48) and express grave concern over the impact of economic sanctions on the development capacity of the targeted countries (para. 50). The Summit also adopted a special appeal from all the leaders of the developing countries for the immediate lifting of this embargo, given that it involves measures that are causing the Cuban people enormous material losses and inflicting huge economic damage, to say nothing of the fact that they are unilateral and in contravention of the Charter of the United Nations, international law and the principle of good neighbourliness.

2. The international community has frequently stated that it rejects the maintenance of the sanctions unilaterally imposed on Cuba and the so-called Helms-Burton Act, which exceeds the jurisdiction of national legislation and encroaches on the sovereignty of other States that deal with Cuba. This is incompatible with the principle of the sovereign equality of States. Experience has shown that, for the most part, sanctions regimes have caused enormous material damage and have inflicted major economic losses on the civilian inhabitants of the countries targeted.

3. Accordingly, the Syrian Arab Republic calls for an end to the economic, commercial and financial embargo imposed by the United States of America against Cuba. This would open up the prospect for a positive climate in international relations and enhance the role of international legitimacy in safeguarding the principle of the sovereign equality of States.

Tajikistan

[Original: English]
[2 July 2001]

The Government of the Republic of Tajikistan supports resolution 55/20, entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba" and, as in previous years, continues to apply measures to take the necessary steps to repeal or invalidate the embargo imposed by the United States of America against Cuba.

Thailand

[Original: English]
[15 June 2001]

1. Thailand disagrees with the extraterritorial imposition of unilateral measures by one State against another State upon other third States, which is contrary to the norms of international law and the principles of the Charter of the United Nations.

2. Thailand has not promulgated and applied domestic laws or measures of the kind referred to in the preamble of the aforesaid resolution.

Turkey

[Original: English]
[28 June 2001]

Turkey does not have any laws or measures of the kind referred to in the preamble to General Assembly resolution 55/20, entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba" and reaffirms its adherence to the principle of freedom of trade and navigation in conformity with the Charter of the United Nations and international law.

Ukraine

[Original: English]
[8 June 2001]

1. Ukraine does not have any legislation or regulations the extraterritorial effects of which could affect the sovereignty of other States and the legitimate interests of entities or persons under their jurisdiction, or the freedom of trade and international navigation.

2. Equally, the Government of Ukraine does not accept the use of economic measures as a means of achieving political aims and upholds, in its relations with other countries, the fundamental principles of the Charter of the United Nations, the norms of international law and the freedom of trade and navigation.

United Republic of Tanzania

[Original: English]
[9 July 2001]

The United Republic of Tanzania, in keeping with the Charter of the United Nations and international law, does not have any enactments in violation of the terms of resolution 55/20.

Uruguay

[Original: Spanish]
[1 May 2001]

Uruguay maintains a foreign policy favouring freedom of trade and navigation and does not recognize in its legislation the extraterritorial application of domestic laws that violate the principle of non-intervention in the internal affairs of States or the rules of the World Trade Organization relating to the development of world trade. Accordingly, the Government of the Eastern Republic of Uruguay has not applied any measures or laws of the kind referred to in resolution 55/20.

Viet Nam

[Original: English]
[2 May 2001]

1. Over the past many years, the General Assembly has adopted by overwhelming majorities the resolutions requesting the United States of America to put an end to the policies and acts of economic, commercial and financial embargo and blockade imposed upon the Republic of Cuba and, most recently on 9 November 2000, resolution 55/20 was adopted with 167 votes in favour. These policies and acts which violate the fundamental principles of the Charter of the United Nations and international law, and run counter to the common desires of States to develop international relations on the basis of equality, non-discrimination of political systems and respect for the right of countries to choose their own ways of development, must be abolished immediately.

2. Viet Nam holds that differences between the United States of America and the Republic of Cuba should be solved through dialogue and negotiations on the basis of mutual respect, respect for the independence and sovereignty and non-interference in the internal affairs of States. In line with this, Viet Nam welcomes every effort of the parties concerned to this effect.

3. The United Nations should produce concrete initiatives and measures so that the adopted resolutions will be implemented as soon as possible to put an immediate end to the unilateral policies of embargo imposed upon the Republic of Cuba.

4. Once again, Viet Nam reaffirms its support, cooperation and solidarity with the Cuban people; and together with all the peace, freedom and justice-loving peoples of the world, Viet Nam will do its utmost to assist the Cuban people to overcome the impact of the above-mentioned unjust policies of embargo and blockade which violate the norms of international laws.

Zimbabwe

[Original: English]
[10 July 2001]

The Republic of Zimbabwe has never, and will never impose sanctions against a peace-loving Member State such as Cuba and calls upon those imposing sanctions on Cuba to immediately stop doing so.

III. Replies received from organs and agencies of the United Nations system

Office of the Resident Coordinator of the United Nations system's operational activities for development

[Original: English]
[1 July 2001]

1. The economic, commercial and financial embargo imposed by the United States of America against Cuba has continued in the past 12 months to exert very negative effects on the social and economic situation of the country. In fact, it represents a major obstacle and a stranglehold on the overall development of the country. Because it affects several facets of the economy of the country, it poses severe negative effects on the quality of life of the population as a whole, particularly the most vulnerable sectors and particularly in the areas of health and education. What aggravates the situation is

the attempt by embargo supporters in the United States to prevent foreign nationals and commercial organizations from doing normal business with Cuba, in an effort to extend the scope of the embargo beyond United States jurisdiction. It is important to note, therefore, that the embargo of the United States against Cuba affects not only the economic, commercial and financial relations between the two countries, but also the relations with third countries wanting to have normal relations with Cuba.

2. The adverse effects of the embargo on the Cuban economy and population have been compounded by the Cuban Adjustment Act, United States legislation that allows Cuban nationals residence permits in the United States, as long as they are able to set foot on United States soil, even through clandestine means. This Act has resulted in illegal departure and contraband actions by persons from Cuba, either by professional criminals or through badly prepared personal attempts, which occasionally have had a tragic sequel of deaths at sea.

3. The United States embargo and related legislation continue to constitute in different ways, therefore, a major obstacle for the recovery of the Cuban economy when it most needs it and consequently impede the normal functioning of development activities in the country and important social services for the populations as a whole.

4. The United States embargo also affects the Cuban economy in terms of a sharp increase in the direct and/or indirect costs of external trade, maritime transport, provision of services and effective access to materials and/or equipment of critical importance for the country: in this respect, the embargo has deeply affected the everyday life of all Cubans.

5. In terms of food security, it has not only affected the availability of foodstuffs, but also increased considerably the cost of foodstuffs that have to be imported, some of them, such as rice — a staple in the Cuban diet — from as far away as Asia. Price and freight differentials are estimated to be several millions of dollars, which could be better used to purchase additional tons of wheat flour, rice, milk and other products which are so scarce. According to some estimates, these additional costs have amounted to some $100 million. Needless to say, food security has suffered considerably.

6. The educational sector has also felt strongly the negative effects of the embargo, expressed in terms of lack of school books and materials, the deterioration of the physical condition of schools and a drop in the quality and quantity of school lunches and hygienic conditions — these last two, in turn, aggravating the health situation of the most vulnerable sector of the population, the children. The effects on the children of Cuba have been severe, therefore, not only on the side of the education, but also on their future potential, as their healthy early years may be in the process of being compromised.

7. Culturally, the embargo bans the import of materials basic to the development of artistic creation, such as paint, brushes and musical instruments, among many others. The conservation of the patrimonial heritage has also been limited, owing to the lack of materials that could have been easily purchased in the United States.

8. Access to new informatics and communication technologies have also been curtailed by the embargo, a problem compounded in the area of communications by a recent intensification of the difficulties in telephone communications between Cuba and the United States.

9. The embargo has also imposed limitations on Cuba's scientific development. Even in areas where Cuba has registered important breakthroughs, such as biotechnology, the embargo forbids agreements with United States pharmaceutical companies that have a leading position in that field, thus imposing limitations to the possible development of pharmaceutical products to combat important diseases around the world and most importantly, the developing world.

10. Medical supplies and equipment critical to proper treatment and/or survival in specialties such as cardiology and cardiovascular surgery, neurology, urology and microsurgery continue to be unavailable, because of the embargo. The hospital network in Cuba has been severely affected by the embargo imposed by the United States. A recent example is that the Mexican supplier of Survanta, a United States drug for prematurely born children with severe respiratory problems, refused to deliver a shipment when it learned that its destination would be Cuban children's hospitals.

11. Some of the following examples further illustrate the seriousness of the effects of the embargo on the health sector of Cuba:

(a) Negative effects on the surgery capacities of the country, often creating long waiting lists with severe consequences for some patients;

(b) Reduction of intensive care units, thus decreasing the number of these facilities for many patients;

(c) Delays in the carrying out of important x-ray, laboratory tests and other diagnostic tests, with the consequences that late diagnosis may bring;

(d) Deterioration of primary health-care facilities, mostly servicing women and children;

(e) Modern methods of peritoneal dialysis are unavailable in Cuba, owing to the impossibility of purchasing equipment originating in the United States;

(f) Important equipment available in the United States for the development of ophthalmology, ophthalmological surgery and microsurgery have been unavailable to Cuban professionals, thus limiting the range of available treatment;

(g) In general, the lack of foodstuffs, the poor conditions and supplies of the institutions and the lack of basic medicines are affecting severely the maternal-child health programmes in Cuba, most likely with severe future consequences for the population of the country.

12. At the same time, the United States embargo has become a major handicap for the further development of the economy in general, but it also limits the possibilities of Cuba's access to global settlement mechanisms for a possible rescheduling and/or restructuring of its external debt.

13. Most tragically, the United States embargo affects the possibilities to receive much-needed loans and commercial credits for development programmes on regular terms from anywhere in the world and from development financing institutions, and hampers the development of capital investment flows to Cuba because of the higher costs and risks.

14. The United Nations system in Cuba itself has not escaped from the negative effects of the United States embargo. Following are some examples (not an all-inclusive list) of the effects on the administrative and operational budget and on the normal operation of the United Nations activities in Cuba.

15. The standard European-made vehicles used in Cuba will have to be sold this year at a fraction of their normal resale price after the car manufacturer withdrew its after-sales service in Cuba following its takeover by a major United States car manufacturer. The premature sale of these vehicles is not the only negative effect on the costs to the United Nations. Their replacement by more expensive models with after-sale service will be even more severe.

16. United Nations officials in Cuba, including visiting staff, may not use credit cards issued by United States providers for normal commercial transactions, as the United States embargo forbids them to be operational in the island. Inconveniences such as these, which may appear small to some, in fact compound the difficulties of bringing much-needed experts and consultants to the country.

17. United Nations officials in Cuba, including visiting staff, travelling from the United States and United Nations Headquarters, have to use circuitous routes to travel to Cuba. This adds not only to the burden but also to the cost of United Nations assistance in the country, as it compounds the difficulties of bringing much-needed experts and consultants to the country.

18. To ensure safe and swift service, the weekly United Nations diplomatic pouch had to be entrusted to a much more expensive express service provider — a courier service — since there is no regular air link between Cuba and the United States and pouches have to be sent via long, circuitous routes, which result in some of them being lost in the process. Regular correspondence containing important documents also has to use this route, which adds to the cost of operations.

19. Communications between the United Nations institutions in Cuba and their respective headquarters are much more difficult and expensive than normal, owing to the difficulties in direct phone, satellite and radio links between Cuba and the United States. In some cases, a telephone conversation which, in United Nations offices in other countries could serve to settle a matter in a few minutes is often converted into four to five times the normal length, as lines of communication are often of bad quality and are cut in the middle of the conversation. This problem has been particularly severe this past year, when normal telephone

communications between the two countries have been disrupted.

20. United Nations procurement of goods and services in Cuba is much more expensive than most countries for the same reasons that affect the host country. Project equipment and other goods and services normally have to purchase from vendors located far away, which adds to the cost of the United Nations activities in the country. This adds to the cost not only because of the frequent lack of access to more competitive markets, but also because of the higher cost of transportation.

21. Funding for development projects, which in other countries normally have access to a variety of sources, are either non-existent or very scarce and are available only at a high premium. Normal projects, which in other countries could be financially feasible, are not at all feasible in Cuba, either because of the high transaction cost, or the fear of third countries to enter into business transactions with Cuba. The perception of high risk brought about by the embargo against Cuba makes it an unattractive business partner for some much-needed potential associates. It should be noted that this is also affecting the projects of the United Nations in Cuba.

22. To comply with their respective mandates while addressing the overall situation of Cuba, the programmes, funds and specialized agencies represented in the country are currently working along the following fundamental lines:

(a) Supporting the consolidation and further improvement of social services, while alleviating basic needs bottlenecks;

(b) Supporting the economic recovery process through the promotion of a conducive environment and the development of new managerial systems;

(c) Fostering support to critical areas of the Cuban economy, such as food security, recovery of industrial production, alternative energy production and management and environmental protection;

(d) Promoting cooperation between Cuba and the rest of the world in the respective areas of mandate of each of the United Nations organizations.

23. Achievements in these areas include the design and approval of new programmes addressing those most critical issues. Progress in the first area is particularly noticeable in the health and sanitation sector (UNICEF, UNFPA, UNAIDS, PAHO/WHO, the United Nations Office for Project Services (UNOPS), UNDP), in the educational and scientific sector (UNICEF, UNDP) and in the efforts for human development at the local level (UNDP, UNOPS). In the second area, a large-scale initiative has been under way since 1998 to strengthen the economic management institutions of the Government, thus supporting the recovery of the Cuban economy (UNDP). In the third area, concrete projects have been initiated and/or continued for supporting advancement in industrial production (UNIDO), food security and agricultural and cattle production (World Food Programme, FAO) and in sustainable energy production and management and environmental protection (UNDP). In the fourth area, a large range of activities within the respective mandates of the United Nations organizations were undertaken to promote contacts and cooperation with the outside world.

24. In the first half of 2001, UNDP has sharply increased its efforts in support of various fields of economic and social development in Cuba. Especially critical is UNDP support for local decentralized human development initiatives, in line with the Copenhagen Plan of Action, and initiatives for the development of sustainable clean energy production, using domestically produced biomass, which would reduce the country's dependency on oil imports. Likewise, several ongoing initiatives provide support for environmental protection, including forest rehabilitation, promotion of protected areas, cleaning of contaminated bays, coastal and biodiversity protection, all of which are critical for the promotion of an enabling environment for the development of the tourist industry, the country's main foreign exchange earner, as well as the elimination of ozone-layer depleting substances. Also ongoing are initiatives in support of economic recovery, access to information technology and the continued development of the biotechnological pharmaceutical sector.

25. Although strategically oriented and catalytic, the support provided by the United Nations organizations cannot compensate, by nature or volume, the exclusion from many markets, from soft-term lending and the shortage of capital flows that are required to redress the Cuban economy and further develop the country. Hence, the United States embargo and related

restrictions against Cuba remains a major obstacle to the development of the country.

United Nations Children's Fund

[Original: English]
[23 June 2001]

1. The situation of children in Cuba continues to be adversely affected by a number of internal and external factors, including the embargo. As with the majority of such situations, it is very difficult to separate the combined negative effects of those factors.

2. In spite of the difficulties, Cuba enjoys a high level of health and education indicators among countries in the Latin American and Caribbean region. The infant mortality rate in 1998 was estimated at 8 per 1,000 live births, which is comparable to the rate in developed countries. Nevertheless, the country faces increasing difficulties to preserve the level of expenditures in the social sector, historically very high.

3. According to the Government, in 1997, the increase in transportation costs and lack of free access to cheaper foodstuffs attributed to the embargo were estimated at $21 million and $48 million, respectively. In 1998 and 1999, the effects of the persistent drought in the eastern provinces, and of hurricane Georges on the agricultural sector, added to the country's difficulties.

4. The Cuban public health-care system has been stressed by a number of factors, the greatest being costs, which have increased over the last eight years by $1.2 billion. The Government reports that the embargo has made it difficult to maintain the infrastructure, including medical equipment, and to acquire vaccines, medicines and chemicals not produced in the country. This has had an impact on both preventive and curative aspects of health care.

5. The well-being and health of Cuban women of all ages has been adversely affected by restrictions on the availability of household goods, foodstuffs, medical products and fuel. Routine screening programmes for detection of breast cancer have been discontinued and preventive care, such as cytological tests, Papanicolaou and mammographies, have been significantly reduced. Due to the shortage of material recommended by WHO, mammograms are now used only for women recognized as being at high risk for breast cancer.

6. Today only two or three surgical interventions are performed daily, which represents a dramatic drop, compared to 15 surgical interventions performed during the 1980s. Women's daily lives and well-being are also affected by lack of access to sanitary pads. The use of alternative materials increases the risk of infections.

7. Ironic folic acid and vitamin C supplements had to be distributed nationwide to combat the anaemia affecting more than one third of the population of pregnant women. The diet of Cuban women does not contain adequate levels of some essential nutrients. The low intake of calcium-rich food leads to osteoporosis and frequent bone fractures.

8. Access to clean water remains a serious health concern for over 4 million people — 2 million of them children — living in cities of more than 100,000 inhabitants. About 72 per cent of drinking water has to be treated with chlorine gas, but lack of chemical supplies has led to the closing of 46 per cent of the water treatment facilities. In 1998, only 69 per cent of the sodium hipoclorite and 55.5 per cent of the aluminum sulphate needed to treat drinking water were available nationwide.

United Nations Population Fund

[Original: English]
[July 2001]

1. Since 1990, Cuba has faced serious economic difficulties, owing to the disruption of trade relations with its former trading partners of Eastern Europe. The decade-long United States economic embargo is still in effect and has severely affected the quality of life of the Cuban population, particularly the delivery of basic social services, with considerable repercussions on the health and education sectors. The lack of financial resources has resulted in a shortage of medicines, both imported and domestically produced, equipment and spare parts, and severe deterioration of primary health-care facilities.

2. Harsh restrictions on imports, imposed by the United States embargo, also have a direct impact on the population's reproductive health status. The Cuban population has ample knowledge of the most common contraceptive methods and uses mainly intrauterine devices, hormonal contraceptives and condoms. However, there are severe limitations to the availability

of these methods, as well as to medicines and other equipment and commodities related to sexual and reproductive health. As a result, raw materials that are indispensable to the production of oral contraceptives are limited and the national oral contraceptives factory, developed with support from the United Nations Population Fund (UNFPA), is unable to operate at full capacity. The production of sanitary napkins, another basic reproductive health commodity, is also hampered by restrictions on imports of raw materials.

3. Although Cuba has managed to contain the spread of HIV/AIDS and incidence is still low in comparison with other countries in the Caribbean, the number of HIV-positive cases has increased in recent years, mainly among males aged 25 to 34. The rising number of tourists visiting Cuba represents a significant risk factor, and the shortage of condoms for AIDS prevention is a major concern. Because of the economic situation, the availability of condoms is currently close to 25 million in 2001, in comparison with the estimated 60 million required to cover needs.

4. In addition, education and communication materials, needed to orient youth on AIDS prevention, and on prevention of unwanted pregnancies are scarce. Moreover, the high rate of abortion, particularly among women under the age of 20, remains a priority problem which has to be addressed through greater access to information, counselling, and appropriate contraceptive methods. At present, UNFPA continues to support government efforts to produce sex education materials for selected provinces, but this contribution allows only for coverage of 5 out of 14 provinces, corresponding to 35 per cent of the total population of the country.

5. Finally, an emerging issue of concern is Cuba's growing elderly population. Owing in part to the financial restrictions and consequent shortages of all types of materials, the Government is unable to adequately meet the needs of this population group, particularly in terms of housing, maintenance, medical supplies and equipment for nursing homes and day-care centres.

6. The UNFPA current programme of assistance to Cuba aims to improve the quantity, quality and variety of available contraceptives — mainly through procurement of condoms, intrauterine devices and injectables, as well as to establish and strengthen sexual education in the formal school system, and improve the quality of reproductive health services, in five eastern provinces of Cuba. Efforts are focused on adolescents and youth, with a view to preventing sexually transmitted diseases, delaying first pregnancies, and preventing unwanted pregnancies and abortions. UNFPA has included Cuba among the priority beneficiaries of several grants to cover contraceptive shortfall for 2001. However, these efforts cannot fully compensate for the absence of other sources of population-related commodities and development assistance.

United Nations Office for Drug Control and Crime Prevention

[Original: English]
[27 June 2001]

1. Cuba contributes significantly to regional and international drug control through sea and air interdiction, despite scarce material resources. There is strong political will and concrete action to keep the island free of drugs and to cooperate with regional partners in the fight against drugs. For instance, in 2000, Cuba hosted the inaugural meeting of the Caribbean Council of Forensic Laboratory Heads and the Caribbean Association of Forensic Scientists that will work towards improved levels of forensic services in the Caribbean and promote internationally recognized standards in this area of drugs and crime control.

2. In 2001, the United Nations International Drug Control Programme signed a project with the Government of Cuba to strengthen national technical and other capacities in drug control, including a drug abuse prevention programme, making full use of Cuba's extensive health and education infrastructure. Thus far, the United Nations Office for Drug Control and Crime Prevention has been dealing with Cuba in the same way it deals with any other United Nations Member State. In particular, there is no record of any discriminatory measure nor behaviour against that country in the functioning of the treaty-based international drug control system as administered by the competent United Nations instances.

United Nations Industrial Development Organization

[Original: English]
[14 June 2001]

1. The United Nations Industrial Development Organization (UNIDO) promotes industrial development in the country through its integrated programme approach. Since the second half of 1999, the "Integrated Programme to Support the National Strategy on Industrial Competitiveness in Cuba" has been under way. The Government of Cuba requested UNIDO to orient the activities of the integrated programme towards those sectors of the national industry, which had to increase their direct contribution to the development of tourism, thereby helping to reduce the expenditures for foreign exchange for the acquisition of inputs, which would be produced domestically. In this context, UNIDO has been providing assistance during the last one and a half years to priority industrial sectors, such as those covered by the Ministries of Food, Environment, and Basic Industries, among others.

2. UNIDO believes that the catalytic impact of the programme is important for the socio-economic development of Cuba.

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Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba

Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba

Report of the Secretary-General**

Addendum

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* A/56/150.

** The present report contains replies of Member States and United Nations organs. In spite of a clear deadline set in the note verbale for submission of contributions, the Americas and Europe Division, Department of Political Affairs, has no control over late submissions.

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II. Replies received from Governments

Angola

[Original: English]
[7 August 2001]

1. The Republic of Angola has voted in the General Assembly of the United Nations in favour of ending the economic, commercial and financial blockade imposed by the United States of America against the Republic of Cuba. It has reiterated that the blockade has caused sacrifices, privation and suffering for the Cuban people, contradicting the principles consecrated in the Universal Declaration of Human Rights and other international pacts on civil and political rights and on economic, social and cultural rights.

2. The Republic of Angola expresses its concern that the blockade affects not only the targeted political ends, but also the entire Cuban population, which suffers directly its negative effects. In the light of this situation, the Angolan Government reaffirms once again its determination to see the objectives of the United Nations realized and appeals to the parties to choose the path of negotiation based on the principles of international law in order to find a peaceful solution to the disagreement.

3. The Republic of Angola exhorts members of the United Nations to strictly observe the principles consecrated in the Charter of the United Nations and, in conformity with resolution 55/20 adopted by the General Assembly on 9 November 2000, not to implement any measure that aims to reinforce the blockade. It also calls for members to undertake efforts to put an end to the hostilities imposed on the Cuban people.

4. The Republic of Angola unconditionally supports the provisions of resolution 55/20 and calls for the United Nations to establish effective and adequate mechanisms the objective of which is the fulfilment of the highly regarded resolution.

Bangladesh

[Original: English]
[26 July 2001]

Bangladesh has fully complied with General Assembly resolution 55/20.

Botswana

[Original: English]
[18 July 2001]

The Republic of Botswana has never promulgated, applied and enforced any laws and measures of the kind referred to in the above-cited resolution. Botswana is therefore opposed to the continued adoption and application of such extraterritorial measures and, as reflected by its vote on resolution 55/20, supports the lifting of the economic, commercial and financial embargo imposed against Cuba.

Burkina Faso

[Original: French]
[24 July 2001]

Burkina Faso does not apply any kind of economic, commercial or financial blockade against the Republic of Cuba. On the contrary, over the past two decades, the Government of Burkina Faso has developed a cooperative relationship that is beneficial to both countries in various areas of mutual interest.

Grenada

[Original: English]
[19 July 2001]

1. The Government of Grenada does not promulgate nor apply any law or measure which would encroach on or undermine the sovereign rights of any State.

2. Grenada, in recognition of the purposes and in adherence to the principles of the Charter of the United Nations and international law, does not support the negation or hindrance to the freedom of international trade and navigation by any State.

3. Grenada therefore opposes the economic, commercial and financial embargo imposed by the United States of America against Cuba, supports resolution 55/20 and will honour its mandate.

Paraguay

[Original: Spanish]
[27 July 2001]

The Government of Paraguay has not promulgated or applied any laws or measures of the kind referred to in the preamble to resolution 55/20 relating to any kind of economic, commercial or financial blockade against Cuba.

Rwanda

[Original: English]
[July 2001]

Rwanda has not had any economic, commercial or financial relations with Cuba independent of the United States of America embargo, but we are in the process of developing them. Rwanda, however, supports the said General Assembly resolution and its full implementation.

Saint Kitts and Nevis

[Original: English]
[7 August 2001]

Saint Kitts and Nevis does not have any trade embargoes against Cuba.

Sri Lanka

[Original: English]
[24 July 2001]

Sri Lanka has not promulgated any laws and measures referred to in the preamble of General Assembly resolution 55/20, entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba". Therefore, the question of repealing such laws does not arise.

Zambia

[Original: English]
[13 July 2001]

In conformity with its obligations under the Charter of the United Nations and international law, which, inter alia, reaffirm the freedom of trade and navigation, Zambia is opposed to the continued embargo against Cuba and to any laws with extraterritorial effect. In this regard Zambia does not, therefore, subscribe to or support the promulgation and application of laws and measures of the kind referred to in the preamble of resolution 55/20.

III. Replies received from organs and agencies of the United Nations system

Economic Commission for Latin America and the Caribbean

[Original: English]
[23 July 2001]

1. Significant changes have been introduced in Cuba's economic policy to deal adequately with a new international environment that has emerged throughout the last decade, marked by a sharp reduction in the country's trade and cooperation links with nations outside the region. Among the most important steps taken by Cuban authorities during the period, one should mention the active promotion of foreign direct investment and other types of financing, export promotion including services, particularly tourism, the decentralization of foreign trade, the implementation of a legal and monetary framework to allow for the circulation of hard currencies, and the establishing of a system for tax administration.

2. In this framework, the Economic Commission for Latin America and the Caribbean (ECLAC) has been working with the Cuban authorities in building up policy-making capacity and institutional strengthening to optimize the insertion of the Cuban economy into the global one, overcoming the obstacles that might arise in this process. One of the most important contributions made in this regard was a comprehensive study of the economic reforms, which resulted in the publication of the book, entitled *La economía cubana*:

reformas estructurales y desempeño económico en los noventa (Spanish only). Originally published jointly by ECLAC and the Fondo de Cultura Económica in March 1998, a second, updated, edition was published in 2001. The publication provided to the Cuban authorities and to the international community an in-depth analysis of the country's development and the trends and obstacles for the institutional and structural adjustment resulting from several contemporary events and process, particularly those generated outside Cuba.

3. Since 1998, ECLAC has provided technical advice to the Ministry of Finance and Prices in its efforts to adjourn the conceptual framework for Cuba's fiscal policy. In the area of public expenditure, on the one hand, ECLAC technical assistance has focused on examining ways to improve its productivity, while safeguarding social equity, paying particular attention to the fiscal and quasi-fiscal spheres. In the area of public revenues, on the other hand, the assistance has focused on providing advice in the establishment of the National Organization for Tax Administration and the legal framework for the new taxing policy.

4. In the area of capacity-building, since 2000, ECLAC has actively contributed to a joint programme of the University of Havana and Carleton University (Canada) for a year-long comprehensive Master's degree in Economics. This programme was aimed at supporting the universities of Cuba, through the University of Havana, in strengthening their contribution to Cuba's effort to optimize the benefits derived from its insertion into the global economy, through the generation of professionals qualified in economic management to deal adequately with the challenges posed by globalization. During the five years that the programme lasted, ECLAC contributed with seven experts as professors for the master's degree, in the areas of macroeconomics, international economy and structural adjustment. As a result of the programme, some 150 professionals, most of them university lecturers, obtained a master's degree in economics.

5. At a more general level in the area of capacity-building, in 1997, at the request of the Ministry of Finance and Prices, ECLAC designed and delivered a one-week intensive course on public finance and macroeconomic models for professional staff from the Ministry. To this should be added the fact that Cuban professionals regularly attend the international training activities carried out by ECLAC through the Latin American Institute for Economic and Social Planning, which totalled 10 during 2000.

United Nations Conference on Trade and Development

[Original: English]
[25 July 2001]

1. Despite pressure from various political, civil society and business groups to relieve or even lift the economic sanctions imposed by legislation in force in the United States of America, many of the economic, commercial, financial and social-related coercive measures that were imposed on Cuba some four decades ago are still being implemented. Significant change in the United States policy towards Cuba would require the reversal by Congress of its decision on the Cuban Liberty and Solidarity Act of 1996 (commonly known as the Helms-Burton Act), which prohibits the lifting of the embargo until there is a change of Government in Cuba. In 1992, Congress had approved the Cuban Democracy Act, which established a two-track policy to reach out to the Cuban people, while strengthening the economic embargo against the regime. It permits humanitarian donations, including food and medicines, while attempting to increase economic pressure on the Cuban Government by prohibiting United States subsidiaries of foreign companies from trading with Cuba and imposing restrictions on sea transport by any vessel which had handled freight to or from a Cuban port. In 1996, Congress approved the Helms-Burton Act, which sought to build on a dual approach of the Cuban Democracy Act by expanding the target of possible sanctions to third parties that carried out business in Cuba (unilateral trade measures including extraterritorial implementation of United States trade legislation, including sanctions).

2. The dual track promoted by the Cuban Democracy Act and Helms-Burton Act is now being criticized in a number of quarters in the United States as having failed to achieve the objective of political reform in Cuba. As a result, a movement towards change in United States policies towards Cuba is evolving, in particular within certain parts of the business community, and even among politicians who were prominent supporters of the embargo and isolation of Cuba from normal international economic

and trade relations. Some of the manifestations of these tendencies are set out below.

3. *The emergence of an active corporate lobbying effort against the sanctions policy towards Cuba.* The immediate objective of this lobbying is to change United States policy on travel and the sale of food and medicines; the long-term focus is to end restrictions on United States relations with Cuba. In 1997, as part of these efforts and largely in response to the Helms-Burton and the Iran-Libya Sanctions Acts, important members of the United States corporate community established USA*Engage, which, along with the United States Chamber of Commerce, has lobbied actively against the sanctions.

4. In July 2000, the United States Senate voted 79 to 13 in favour of the Cuba Trade Normalization Act of 2000 (S.2617), which would lift the restraints on food and medicine sales to Cuba. The recent acceptance by Congress of the modification of the language of the Fiscal Year 2001 Agricultural Appropriations Bill to lift restrictions on food sales provides further indication that the embargo may be reduced even more extensively. The modified language permits food and medicine sales, but without United States credit or financing for Cuban purchases. Third-country financing is permitted and current restrictions on travel to Cuba are codified. Although considered as a compromise, the House's repudiation of two pillars of the embargo demonstrates a rather significant political change towards Cuba.

5. *A broader questioning of the utility of sanctions as an instrument of United States foreign policy.* The evolution of a political consensus on the merits of "engagement" with the People's Republic of China, Viet Nam, and the Democratic People's Republic of Korea has expedited the reconsideration of United States policy towards Cuba. There have been recent studies on the economic impact of United States sanctions more generally but also with respect to Cuba (see, inter alia, the study prepared by the United States International Trade Commission, entitled "*The Economic Impact of U.S. Sanctions with respect to Cuba*".[1] The report prepared for the United States House of Representatives Committee on Ways and Means provides an overview of United States sanctions with respect to Cuba; it describes the Cuban economy, Cuban trade and investment policies and trends; it analyses the historical impact of United States sanctions on both the United States and Cuban economies; and evaluates the current impact on United States-Cuban bilateral trade, investment, employment, and consumers. The report highlights, inter alia, the following:

(a) United States economic sanctions with respect to Cuba had a minimal overall impact on the Cuban economy when Cuba was able to adjust through political and economic alliance with the Soviet Union and the Socialist countries of Eastern Europe, largely offsetting any adverse effects of the sanctions. The loss of Soviet economic assistance after 1990 caused a severe downturn in the Cuban economy, eventually forcing Cuba to introduce economic reforms to attract foreign investment and selective economic liberalization to stimulate domestic production. Currently, sanctions force Cuba to source some products that could be supplied by the United States, from distant trading partners at higher transportation costs;

(b) United States economic sanctions with respect to Cuba have had a minimal overall historical impact on the United States economy. The United States quickly found alternative suppliers and markets to replace trade with Cuba. Overall, Cuba emerged as a small global market relative to other Latin American countries, and foregone United States trade opportunities were minimal;

(c) Despite the close geographic proximity that would appear to make the United States and Cuba natural trading partners, bilateral economic relations, in the absence of sanctions, could be limited by Cuba's remaining restrictions on investments and economic activity, a foreign exchange shortage that limits Cuba's ability to import, and production constraints that limit Cuba's export potential;

(d) While the overall impact on the United States economy of United States sanctions with respect to Cuba was small, the report indicates that some United States industries may be likely to benefit from the removal of sanctions. Industries in rice and wheat may benefit as a result of increased exports to Cuba. The report also indicates that some United States industries, such as citrus and winter vegetables, may face some increased competition from imports from Cuba.

6. A number of restrictions, such as prohibitions and licensing on United States citizens travelling to Cuba, still remain. United States citizens cannot spend money

in Cuba without prior special permission from the Treasury Department, which may be called a de facto travel ban. However, this has not stopped travel from the United States to Cuba from flourishing. The United States-Cuba Trade and Economic Council estimates that 160,000 United States citizens are expected to visit Cuba in 2001, which is a significant increase from 55,000 in 1999. The restrictions have also been mitigated by the Clinton Administration policy to encourage "people-to-people" contacts. It should further be noted that only very few Cuban citizens are allowed or can afford to travel abroad. The Cuban economy receives remittances by Cuban-Americans, estimated to be about US$ 800 million a year. However, the current restrictions limit the legal amount that may be remitted to Cuba to US$ 300 in any three-month period. Proposals to lift this cap point to the possibility of the remittances contributing to the development of alternative markets through additional demand for products and services from self-employed Cubans.

7. The Cuban Government has actively sought to attract foreign investment and tourism to Cuba. In 2000, more than 1.7 million tourists visited Cuba, compared with 340,000 in 1990. The Government, in joint ventures with a variety of companies, is expanding construction of first-class hotels, especially in cities outside Havana and a few long-time destinations. International airports have been built near resort centres and overseas tour operators are well received in Cuba. However, Cuba itself still imposes many limitations to investment, in particular from the United States, thus giving companies from other countries a more competitive position.[2]

Recent developments in the deliberations in the World Trade Organization concerning trade-related measures having characteristics of economic coercion, particularly as related to Cuba

8. A long-standing issue in the World Trade Organization (WTO) Council for Trade-Related Aspects of Intellectual Property Rights has been the request by Cuba, in December 1998, for information from the United States Government on the amendments that it had made to the Omnibus Consolidated and Emergency Supplemental Appropriations Act for the fiscal year 1999, in particular article 211, subparagraphs (a), (b) and (c), as well as its compatibility and relevance to the Agreement on Trade-related Aspects of Intellectual Property Rights (TRIPs Agreement). Cuba maintains that it has still not received a satisfactory response to that request, despite the response of the United States through a communication[3] dated 6 April 2000 on relevant United States regulations relating to many aspects of the sanction in force against Cuba, as well as some oral explanations in the Council. According to Cuba, section 211 is incompatible with United States obligations under the TRIPs Agreement, especially article 65 (transitional arrangements); article 3 (national treatment); article 2 (certain parts of intellectual property conventions); and article 62 (acquisition and maintenance of intellectual property rights and related inter-party procedures). The origin of the matter is the right to register a brand name in the United States for a rum, originally owned by a Cuban family until its expropriation in 1960, now involving a joint venture between a Cuban distiller (not the original family) and a major French spirits group. The European Community considers that the obligation for the Cuban distiller to obtain the agreement of the original owner before re-registering the brand name, even though the owner had abandoned it and it was now in the public domain, is discriminatory and violates several United States obligations under the TRIPs Agreement. Following a request by the European Union, a panel was established on 26 September 2000, at the meeting of the WTO Dispute Settlement body, to examine section 211 of the Omnibus Appropriation Act of 1998. Japan had also expressed its concern about the compatibility of section 211 with the relevant TRIPs provision and reserved, together with Nicaragua, its third-party rights to participate in the panel's proceedings.[4] Cuba has welcomed the establishment of the panel and the matter will be deleted from the TRIPs Council agenda, it being understood that any WTO member could revert to it at any time it wishes.

9. During the recent WTO General Council discussion on the work programme on electronic commerce (8-9 May 2001), the Cuban delegation intervened to point out that the Council for Trade in Services, within the framework of the work programme on electronic commerce had examined the need to increase developing countries' participation, inter alia, by implementation of article IV of the General Agreement on Trade in Services concerning the liberalization of market access in areas of export

interest to developing countries and regarding better access to technology, including technology relating to encryption and security of transactions. The Cuban delegate stated that several developing country members of the WTO, including Cuba, as well as other non-member countries, had been unable to participate fully in the Global Project of the International Telecommunication Union (ITU) which is part of the ITU project, entitled "Electronic commerce for developing countries" because of trade restrictions imposed by the United States covering a software package necessary for issuing digital certificates. The Cuban remarked further that the United States' policy stand violated the rules and principles of international trade and was tantamount to an embargo on Cuba's benefiting from the Global Project, which had been conceived to afford developing countries access to information technologies so as to guarantee secure electronic commerce. The United States did not comment on the statement of the Cuban delegation at the meeting.

International Labour Organization

[Original: English]
[27 July 2001]

1. Cuba is treated in the same way as any other member State of the International Labour Organization (ILO). Cuba participates actively in the International Labour Conference and other pertinent ILO activities.

2. In correspondence from 1995 between the ILO Regional Office for Latin America and the Caribbean and the Minister of Labour and Social Security of Cuba, ILO stated its view that the United Nations was the appropriate forum to address the question of the economic, commercial and financial embargo against Cuba.

Food and Agriculture Organization of the United Nations

[Original: English]
[11 September 2001]

FAO technical assistance to Cuba

1. In terms of FAO technical cooperation work in Cuba, most of its activities have been financed from its own Technical Cooperation Programme (TCP). Only since the year 2000 have there been projects funded from extrabudgetary resources (Italy and Netherlands) and by the Cuban Government, through the Unilateral Trust Fund (UTF) modality. FAO has experienced difficulties related to the embargo with the procurement of certain project equipment. For example, the FAO project TCP/CUB/0066, relating to the design of a national strategy to combat forest fires, had difficulty buying communication equipment and equipment and hand tools for forest firefighting.

Food and agriculture sector

2. The agriculture sector has historically been an important sector of the Cuban economy. For the past 40 years, agriculture has consistently represented over two thirds of Cuba's export earnings (including sugar, tobacco and citrus). Despite the dramatic decline in Cuba's export earnings since 1989, agriculture continues to represent over 75 per cent of the country's net export earnings. While it is difficult to distinguish the precise impact of the embargo from the impact of other factors, both internal and external, it would seem that the embargo's negative impact on the food and agriculture sectors stems mainly from the fact that Cuba has had to import food, agricultural inputs, machinery and spare parts from more distant and expensive markets, which has resulted in price increase for those products. Spare parts from United States-produced machinery has been difficult, if not impossible, to obtain, as have been specialized goods produced only by United States firms.

3. The consequences of this situation have contributed to a decline in certain agricultural activities due to the lack of access to improved technology and knowledge, basic inputs, management expertise, research and to the market of its largest and closest neighbouring country, just 100 miles away. In terms of basic agricultural inputs, pesticide imports by Cuba have dropped by more than 60 per cent and fertilizers more than 70 per cent since 1990.

4. For example, citrus production has suffered from a diminished access to basic inputs (fertilizers, in particular). The production area for citrus, which was 300,000 acres in 1974-1975, declined to 238,000 acres in 1994-1995. Production fell from 1 million metric tons in 1989 to 620,000 metric tons in 1993. The situation has been similar for sugar, which has also experienced a contracting external market.

5. During the 1990s, annual vegetable production declined, with 392,000 tons produced in 1993, approximately 30 per cent less than the average annual production in the late 1980s. For example, Cuban tomato yields decreased approximately 20 per cent between 1975 and 1989. Tropical fruit production (mango, guava, papaya, pineapple and coconut) peaked in 1985, at 240,000 tons. By 1992, however, tropical fruit had fallen to only 68,000 tons. Mango yields decreased by more than 20 per cent between 1975 and 1992. During the same period, guava yields fell about 35 per cent, and papaya yields were decreased by half. Reduced access to fertilizers and other agricultural imports appears to have affected productivity and yields. Yields for some major food crops have dropped.

6. As pesticides and fertilizers became prohibitively expensive, Cuba developed a strong organic agriculture sector. However, organic products do not compensate for losses and have no access either to their largest and closest foreign market.

7. About 40 per cent of Cuba's food supply depends on imports, while commodities for export (sugar and tobacco) tend to dominate Cuban agriculture. Importing food from more distant markets has tended to increase transport costs. In fact, price increases for imported commodities such as meat, milk, rice, wheat and animal feed have been experienced. Both trends have worked against greater food security. Undernourishment increased from 4 per cent of the population in 1990-1992 to 19 per cent in 1996-1998. Over the same period, the average daily food intake declined by around 500 calories per person.

8. The deterioration of irrigation and drainage systems represents a more insidious trend, with implications for export earnings from agriculture (sugar cane accounts for 48 per cent of irrigated land) and for food crops. Over the period 1991-1996, land under irrigation declined by 18.1 per cent. As irrigated agriculture in 1997 accounted for 7.6 per cent of the gross national product and the agricultural labour force represented 15.2 per cent of the active population, its impact on the Cuban economy was not indifferent. Recent FAO missions to Cuba have confirmed that the situation with regard to irrigation and drainage systems has not changed. The decline has been attributed to the limited access to research, expertise and improved technology and to a lack of resources to invest in the maintenance and development of such systems.

Fisheries sector

9. Almost the totality of Cuban fish exports consists of high-value products (frozen shrimp and lobster) which are in strong demand in the international markets. The export bill amounted to $93 million in 1999 for a total volume of 8,300 tons. On the other hand, the fish imports bill amounted to $22.5 million, for a total volume of 25,000 tons of low-value fish products. In addition to the foreign currency earnings, essential to the economy of the country under the present circumstances, there is also a clear gain in the traded volumes of fish as food and the fish protein that contributes to addressing food security needs of the population.

10. However, due to the embargo, Cuba is not receiving all of the possible benefits that could obtain from fish trade. The country cannot place its valuable products in the closest and a most important potential market and is therefore obliged to export to more distant markets with increased marketing and distribution costs. This affects, in particular, exports of live lobsters, for which the United States is a very important market. A similar situation exists for aquaculture, taking into account the increasing export trade of aquaculture products from Central America and the Caribbean region to the United States.

11. In the aquaculture sector, culture-based fisheries in reservoirs are the main type of aquaculture in Cuba, which accounts for more than 45 per cent of total fish production and contributes significantly to food supply and food security.

12. Lack of imported inputs to agriculture and husbandry activities (animal feeds and fertilizers) has affected the productivity of reservoirs by a negative impact on eutrophication which reduces algae productivity and consequently fish productivity. The embargo, which implies comparatively higher input costs, in particular, has also contributed to hampering recent attempts to develop more intensive types of aquaculture (earth ponds, cages, pens, circulation canals).

13. Shrimp aquaculture, an industry with good development potential, is also adversely affected by the higher costs and more difficult procurement of imported equipment and other inputs as well as by the increased difficulties of gaining access to international sources of credit to finance this capital-intensive activity.

14. Furthermore, certain chemical products required for the monitoring and control of Ciguatera, an endemic fish poison, are only available in the United States. The lack of effective control of Ciguatera negatively affects fish production for domestic consumption and external trade.

Pan American Health Organization/ World Health Organization

[Original: English]
[19 July 2001]

1. The World Health Organization, both directly and by means of its Regional Office for the Americas, has continued its cooperation with Cuba along all the period of effect of the embargo, and through its Representative Office in Havana has been able to not only confirm the effects of the blockade on the health sector, but support the Cuban State in the palliative and compensatory efforts, implementing General Assembly resolution 55/20.

2. These repercussions could be classified in those of general nature, given by significant affectations to the economy of the country that impede the best allocation of necessary resources in priority areas — and that as a result affect the living conditions, and indirectly the health of the population — and others that directly affect the programmes and health services compromising the quality of life of the Cuban people, especially of the children, the elderly and the sick.

Socio-economic, political, and demographic overview

3. The situation in Cuba since 1989 has been characterized, above all, by a profound economic crisis, which has affected virtually all spheres of national life. The severity of the crisis is evidenced by the fact that, between 1989 and 1993, the country's gross domestic product fell 35 per cent and exports declined by 75 per cent. The two determining factors underlying the crisis are well known. One is the dissolution of the Soviet Union and the socialist bloc, with which Cuba had maintained 85 per cent of its foreign trade prior to 1989, and the other is the economic embargo the Government of the United States of America imposed on Cuba more than 30 years ago, which was strengthened in 1996 with the approval of the Helms-Burton Act, aimed at blocking foreign investment in Cuba and severely curbing foreign trade.

4. In the face of this new situation, the Cuban Government has introduced a series of adjustments and restructuring measures aimed at halting the decline and reviving the economy. The Cuban process seeks to achieve sustainability and efficiency without undoing the social gains of the Revolution, to preserve to the greatest extent possible the levels of equity that have been attained, and to prevent loss of employment and livelihood for the population.

5. The measures implemented include promoting international economic collaboration and foreign investment in Cuba; creating agricultural and industrial free markets that operate on the basis of supply and demand; expanding private enterprise or self-employment; developing new land and cattle cooperatives; introducing a broad-based tax system that taxes state and private activity; progressively reducing subsidies to state-run enterprises; strengthening the system of rationed distribution of goods at subsidized prices, with and emphasis on the most vulnerable groups; downsizing and decentralizing the central government; and reforming and modernizing financial, banking and business systems.

6. In addition to the increase in production and export capacity in traditional items, such as sugar, nickel, fish, cement, and tobacco, an effort has been made to develop new sectors with tremendous potential for generating foreign currency revenues, such as tourism, mining, biotechnology, and the pharmaceutical, electronic and sugar industries.

7. On the political front, noteworthy developments include efforts to extend the decentralization of the government (including decentralization of the national health system) and the economic sectors; to promote and develop popular participation in decision-making processes at all levels through development of grass-roots entities within the political structure, namely, the popular councils and municipal governments; and to strengthen the Parliament and its commissions, including health sports, and the environment commissions, as the legislative organ of the State.

8. The general mortality rate was 7.0 per 1,000 inhabitants in 1992 (the highest rate during the period 1986-1992) and it reached 7.2 in 1996. Life expectancy at birth for the year 2000 was 76 years for both sexes. Whereas infectious and parasitic diseases were the

main causes of death 30 years ago, today the vast majority of deaths are due to chronic and degenerative diseases and accidents. The leading causes of death for all ages are heart disease, malignant neoplasms, cerebrovascular disease and accidents. These four causes are responsible for 65 per cent of all deaths.

9. In order to increase efficiency and efficacy of the health system, in 1996, five strategies and four priority programmes were adopted. The family doctor and nurse programme was identified as the pillar to reorient the health system toward primary care; restructuring hospital care (home care, ambulatory services and emergency); redefinition of high-technology programmes and research institutions; mainstreaming alternative and traditional medicine and natural drugs; special care, such as dentistry, optical services, etc. The priority programmes were maternal and child health, chronic non-communicable diseases, communicable diseases and care of the elderly.

10. The Ministry of Public Health has developed a strategy for responding to existing, emerging and re-emerging problems. The strategy seeks to increase the efficiency and quality of health services; to ensure the sustainability of the system, especially in financial terms; and, although a high level of health equity has been achieved, to work to eliminate the small reducible inequalities in health care and in the use of health services in different regions and population groups. The strategy emphasizes promotion of health and prevention of disease in the framework of strengthening primary health care and family medicine, decentralization, intersectoral action and community participation, as well as improvement of services at the secondary and tertiary levels.

11. The process of decentralization and the creation of a new structure of government that allows for more grass-roots involvement (through the popular councils) has encouraged active participation of the social sectors in health management at the local level. In 1995, as an outcome of the comprehensive policy for the development of the national health system, health councils were established at the national, provincial, municipal and popular council levels. These health councils are made up of representatives of the various social sectors and civic organizations and are headed by a government representative at each level. They have facilitated intersectoral collaboration and have increased the capacity for social participation in the identification and solution of health problems in the community.

12. The country, as part of the "Health Initiative" process aimed at mobilizing national and international resources to support reform and modernization of the sector, has developed a Master Investment Plan that sets out the basic sectoral problems, outlines strategies and actions for addressing those problems and recommends a series of investment projects for resolving or mitigating them. The collaboration of PAHO/WHO in this process, as well as that of other agencies, has been key to the whole process.

Organization of the health sector and of the national health system

13. In Cuba, the State assumes full responsibility for the health care of its citizens. Health is considered the key ingredient for quality of life and is seen as a strategic objective in the development of society.

14. For a number of years, general mortality has been characterized by a marked predominance of causes associated with chronic non-communicable diseases. As a consequence, chronic diseases have increased the demand for more expensive drugs and for long-term care. The community participates in a series of activities related to the elderly. Cuba has been able to increase the life expectancy of its population, which is among the more developed countries, in spite of the problems for acquiring all the necessary supplies for the elderly and their need. Infant mortality continues to fall: from a rate of 10.2 per 1,000 live births in 1992, it decreased to 7.9 in 1996. In 2000, the infant mortality rate was 7.0 per 1,000 live births.

15. Accidents remain the leading cause of death for individuals up to 49 years of age, with a rate of 38.9 per 100,000 in the group aged 15 to 49 in 1996, and represent one of the main health problems for adolescents and young adults. Other important problems in these two groups are sexually-transmitted diseases and the increase in viral hepatitis type A.

16. The country's socio-economic situation influenced the lifestyle of the workers. Initially certain occupational risks decreased because of the slow down of the workforce in some sectors, which led to a reduction in accidents, especially fatal accidents; however, other risks increased as a result of job changes, reintegration of workers into the workforce and redefinition of duties in factories and other

workplaces. The reorientation of many activities toward agriculture and the increase in self-employment have created new challenges for the public health sector in terms of protecting the health of workers. Cardiovascular diseases are the leading cause of death in Cuba, with a crude death rate of 205.9 per 100,000 inhabitants in 1996. Although this number is higher than in 1989 (189.3 per 100,000 inhabitants), the trend, based on age-adjusted rates is downward. For the year 2000, the adjusted death rate due to cardiovascular diseases was 180.3 per 100,000 inhabitants.

17. For the past 26 years, malignant neoplasms have been the second leading cause of death in all age groups. The crude death rate from this cause increased from 128.8 per 100,000 inhabitants in 1990 to 137.3 per 100,000 in 1996; however, the adjusted rates for the same years went down from 116.6 to 111.0 per 100,000 inhabitants.

National health plans and policies

18. The national health system is organized at three levels (national, provincial and municipal), which mirror the country's administrative structure. The national level is represented by the Ministry of Public Health, which serves as the lead agency and fulfils methodological, regulatory, coordination and control functions. Directly under the Ministry are university centres, highly specialized medical research and care institutions, the cluster of the medical-pharmaceutical industry and its laboratories firms that market and distribute medical equipment, as well as one firm that imports and exports drugs and high-technology medical equipment.

19. The provincial level is represented by the provincial public health offices, which are under the direct financial and administrative authority of the provincial administrative councils. The principal units under the responsibility of the provincial governments are the provincial and intermunicipal hospitals, blood banks, provincial health and epidemiology centres, training centres for health professionals and mid-level health technicians, and the network of commercial pharmacies and optical shops.

20. At the municipal level are the municipal public health offices, which come under the financial and administrative responsibility of the municipal administrative councils. The units overseen include polyclinics; rural, local and municipal hospitals; municipal health and epidemiology units and centr oral health clinics; social welfare institutions for elderly and persons with mental or phys disabilities; maternity homes; and other establishme The nuclei of municipal activity are the popu councils, a set of small communities that form an or for coordination with certain executive authorities, t giving concrete expression to the concepts administrative decentralization and public participat in decision-making and in the government of nation. The councils work in close coordination w the municipal health system.

21. A special effort has been made to revise essential drugs list, as a result of which it has b possible to reduce the number of active principles 343 distributed among 29 drug classes with 459 dos forms. In addition, there are traditional and natu medicinal products. The official drug control centr responsible for ensuring that products m international quality standards. It is recogni internationally as the agency authorized to evaluate register drugs, receive information, cond inspections, analyse and authorize products marketing, grant or revoke production licenses suspend the circulation and sale of drugs wh necessary.

Inputs for health

22. Cuba was plunged into a profound econo crisis just as it was implementing a major investm programme for the development of the medical pharmaceutical industry. Nevertheless, after 1993, worst year of the crisis, a period of recovery beg especially in the production of drugs for domestic u Total production of drugs remained at similar lev throughout the period, except in 1993, when it drop considerably. The production of biologicals reagents increased substantially during the period.

Expenditures and sectoral financing

23. Cuba's health system is financed out of the st budget, the purpose of which is to ensure achievement of development objectives, wh encouraging greater efficiency in the provision of necessary resources. The population receives f preventive, curative, and rehabilitation services, wh range from primary care, routine medical attention, dentistry to hospital care requiring the use of hig sophisticated medical technologies. In addition,

necessary diagnostic testing and drugs are provided free of charge to pregnant women and to persons receiving outpatient care in the context of certain programmes.

24. Out-of-pocket expenditures for families include drugs prescribed for outpatient treatment, hearing aids, dental and orthopaedic apparatuses, wheelchairs, crutches and similar articles, and eyeglasses. The prices for all these items are low and are subsidized by the State. Low-income segments of the population receive monetary and material assistance, including prostheses and drugs.

25. Despite the economic difficulties of recent years, spending on public health has increased steadily, which reflects the political will to maintain the successes achieved in this area. Allocation of local currency has been increased to compensate for the critical shrinking of hard currency availability. In 1994, health spending, which includes current health expenditures by all agencies in the country, totalled 1,061.1 million pesos, 17 per cent higher than in 1989. This absolute increase was accompanied by a relative increase in public health spending as a proportion of gross domestic product, total spending and public spending. In 1994, health spending represented 7.8 per cent of the gross domestic product, 7.5 per cent of total spending, and 14.6 per cent of public spending.

Human resources

26. In 1996, the country had 60,129 physicians, that is, 54.6 per 10,000 inhabitants; 9,600 dentists (8.7 per 10,000 inhabitants); and 76,013 nursing personnel (69.1 per 10,000 inhabitants). 12,716 (16.7 per cent) of whom were university trained. Since 1990, the number of mid-level personnel entering the health professions has decreased, although they will continue to be graduated in order to meet the requirements of development plans, in particular, the growing demand for primary care personnel. The adverse economic conditions of the period 1992-1994 were reflected in the availability of human resources, and, in late 1993, a reduction in the availability of mid-level technicians was observed, particularly in the area of nursing. Since 1995, economic recovery has led to greater stability of personnel.

27. In 2000, the country had 66,505 physicians, 30,297 of whom were qualified as family doctors. With regard to the training of upper-level specialists in the field of public health, the policy designed during the 1990s continued to be applied. That policy seeks to reduce the numbers of students entering schools of medicine and dentistry and to stabilize admissions to nursing degree programmes. The total number of mid-level technicians in 1996 was 192,781. The number of students entering mid-level technical training programmes has gradually decreased in recent years, as the number of these technicians has been rising to meet the demand in the country's network of health institutions.

External technical and financial cooperation

28. Since 1989, the multilateral collaboration has played an even more important role in the health sector in Cuba. In addition to obtaining the benefits of being a member country, it has strengthened its relations with institutions of excellence and has been able to disseminate some of its own advances and technologies. In addition, Cuban experts have been able to participate in the work of these agencies. Multilateral cooperation has been oriented towards the development of human resources, family planning, development of the pharmaceutical industry, research on various health problems, procurement of vaccines and educational activities.

29. Cuba has depended on the collaboration of Canada, Chile, France, Italy, Mexico, Spain and Sweden for conducting research and human resources training projects and for providing supplies and equipment.

30. As can be inferred from what has been presented previously, the blockade has an impact on the quality of medical care available to the population, determining especially the lack of access to inputs and drugs in the North American market or from subsidiary companies in other countries.

31. The embargo has affected the hospital network with the shortage of drugs, impossibility of acquiring new equipment or the means for repairing those which were installed several years ago, shortage of expendable material necessary for guaranteeing the surgical activity and delivery, neonatology, intensive care and others; difficulty for the procurement of necessary inputs for the general functioning of hospitals, such as the equipment of climate control for risk areas, technology for boilers, emergency

generators and patients transportation, such as ambulances.

32. The following examples show the aforementioned situation on the lack of access to the market for critical equipment and supplies:

(a) A numerous group of drugs exists for medical emergency and intensive care related to the survival of the patient, among them, antibiotics, "immunological" regulators, and antimycotics which are not accessible to Cuba. For example, Cuba does not have access to Imipiden and the Cuban State is forced to acquire substitutes at higher prices in other markets. In addition, a catheter shipment for cardiology from Medtronic was retained in customs in Miami;

(b) Baxter, Healthcare, Drake Willock, Vitalmex Interamericana SA, are providers with high-technology development and located close by, but refuse to sell equipment and accessories to Cuba;

(c) The United States market represents 70 per cent of the world market in the area of diagnostic resources, and the best technology of this specialty is developed in the United States. The lack of access to these technologies and to the exchange of information has affected the development of those specialties;

(d) Cuba has no access to the purchase of kits produced by the Company One-Lamba (recognized as being of high quality by the Cuban nephrologists) for the HLA (Histo-compatibility Lymphocyte Antigen) typings, which are essential procedures for determining the compatibility of a candidate for kidney transplant with potential donors;

(e) The executives of Teletronic of Australia, manufacturers of supplies for cardiology, decided to stop their sales to Cuba because they were produced in a factory located in the state of Florida, in the United States;

(f) In April 2001 the Swiss company Roche informed mediCuba that it was impossible for it to legally dispatch to Cuba products manufactured in the United States. These products are supplies utilized for the production of Polivit and Prenatal, nutritional supplements for pregnant women and infants.

33. The effects of the embargo are also clear in the difficulties with access to services, among them, scientific publications. The response capacity of the health services, including from family doctors' offices to the higher complexity hospitals, has been notably affected by the lack of up-to-date bibliographies and professional exchange, which limits the development of human resources.

34. In general, the programme of scientific and technical development has been affected with regard to research and assistance activities, inasmuch as the institutes and centres of excellence do not have access to the products and reagents from the United States that are cutting-edge technologies and sometimes are the only existing ones.

35. The PAHO/WHO Representative Office in Cuba provides a decentralized technical cooperation, allowing the country office to have a presence in 73 of 169 municipalities in the country. The embargo affects practically all health programmes: primary-care services, environmental, food and nutrition, health promotion and disease prevention, maternal and child health, health of the elderly, adolescent health, mental health and sexually transmitted diseases.

36. The embargo, on the other hand, deprives the United States itself, its universities, scientists and pharmaceutical companies, of the possibilities of exchanging experiences and know-how with the scientific and health system in Cuba, and even allowing its own population to benefit from the advances of Cuban medicine. A specific case being the vaccine against a certain type of meningitis that affects 2,600 people between 2 and 18 years every year, of which between 10 and 15 per cent die; Cuba has successfully developed an effective vaccine against this disease.

37. As it was said at the beginning, PAHO/WHO has maintained its cooperation with Cuba advising on the necessary health reform and making additional efforts to mobilize additional support through special meetings with donors for projects designed out of an exhaustive health and environment sectoral analysis carried out in 1997. Furthermore, some non-governmental organizations as global links have obtained authorization from the United States Department of Commerce in order to send to Cuba second-hand medical equipment and supplies to mitigate the shortage critical situation; the organization has facilitated this humanitarian assistance.

Universal Postal Union

[Original: French]
[24 July 2001]

The Universal Postal Union has always considered Cuba a full member of the union, with the same rights and obligations as the other members. In 2000 Cuba even benefited from a number of technical assistance measures financed by the Union.

International Telecommunication Union

[Original: English]
[17 July 2001]

The role of the International Telecommunication Union is to facilitate peaceful relations, international cooperation among peoples and economic and social development by means of efficient telecommunication services. In this respect, Cuba has been benefiting from the assistance of the International Telecommunication Union, namely through the Telecommunication Development Bureau and on the strategies for implementing an e-commerce infrastructure. The main challenge is to propose a technology implementation without the use of solutions that have export restrictions to Cuba.

Notes

[1] Inv. No. 332-413, United States International Trade Commission Publication No. 3398, February 2001.

[2] See *International Herald Tribune*, 19 February and 22 June 2001.

[3] IP/C/W/139/Add.2.

[4] See the minutes of the meetings of the World Trade Organization Council for Trade-Related Aspects of Intellectual Property Rights (IP/C/M/23-27), and the World Trade Organization newsletter, *Focus*, No. 48, September-October 2000.